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ART. I.—*The Biographical Treasury: containing Memoirs, Sketches, or Brief Notices of the Lives of Eminent Persons.*  
8vo. London: 1839.

WE have upon two former occasions walked through the mighty gallery of Portraits which the reigns of the last two Georges furnished out. The figures which we there contemplated were, for the most part, those of the greater men of their age;—men whose genius has raised or adorned their country, and whose superiority, not merely to the bulk of mankind, but to the men whose names sound in the mouths of the multitude, is at once confessed as soon as they are mentioned. History, however, performs but half her office, nor perhaps the most useful portion of it, if she commemorates only those lights of the world, and preserves no lineaments of men whose place is less ambitious, whose merits are more unpretending, but whose virtues, for that very reason, are the more easily emulated, and thus may produce a wider and more salutary influence upon the fortunes of future times. The habit of looking down upon useful mediocrity is not founded in any reason, and is apt to produce hurtful consequences. It is fitting, no doubt, that the oratorical efforts of a Fox, a Pitt, a Burke, be held up to admiration—that the ancient virtue and brilliant talents of a Romilly should be handed down to posterity—and that other ages, as well as his own, should know how justice was distributed by Mansfield, as well as what thunders from Brougham shook the senate and awed the meaner natures of his contemporaries. Justice to those great men, is to do justice to the natural curiosity of

mankind is gratified by the exhibition of their genius; but although the spectacle may kindle in a few congenial minds the desire of emulating their renown, the wonder which it is calculated to excite is all the effect that it can produce upon the great bulk of mankind. They will find it more permanently useful to have displayed before them merits of a less unapproachable elevation—to have their eyes pointed towards heights of excellence, the ascent to which may seem a less hopeless task. An incident which actually happened may illustrate this position:—A young person of good capacity, and who had laboured hard to acquire the knowledge and the habits of composition which oratory requires, and was entering upon a profession where it is to a certain degree essential, never having been present at any display of debating powers, was taken by a friend to witness a great and, as it proved, a very successful exhibition of practised eloquence upon a subject of extraordinary interest. He came away as soon as the speech was closed, and thus addressed his adviser: ‘I give the whole thing up. This is quite out of the question—for I cannot even form any notion how such things are done.’ Had he heard a good third-rate speaker, he would not, in all probability, have arrived at the position in which Gibbon found himself, when the bad speakers filled him with terror, and the great ones with despair.

There is only one consideration which makes us hesitate about making this addition to our Gallery. The dislike of mediocrity is great in proportion as the contempt, or affected contempt, for it is universal. The giddy multitude, composing the great vulgar rather than the more natural and rational class of the little vulgar, seem to think that they raise themselves by adopting an extravagant standard of excellence which they use to measure men’s pretensions to fame, and consider that, by despising many whom they never can even approach, they exalt themselves to the higher levels of merit. With this insignificant rabble, virtue is its own reward: a strictly honest man in public life passes for little if he be of a middling genius, and have not the faculty of making his name much heard in the world. Hence we are apprehensive that the being ranked in this our second list, will mortify the friends of the parties, when we are sure it would not have offended themselves. But, beside this general censure which we have given to such fancies, we may remark, that some will also find their places here whose excellence is of the very highest order;—men who would have infallibly shone amongst the brightest lights of their age, had not their persons accidentally led them into the lines of exertion which do not conduct to the pinnacles of fame. It is also to be observed, that accidentally some have been omitted in the former series of sketches, to whom we must

now render a tardy justice; while some have found their places in that series who can in no respect be deemed to have pretensions above the ordinary run of those whom we are about to describe, and very inferior to some of them. The one with whom we shall begin is an example, and we purposely pitch on it for the first sketch.

Mr Justice Holroyd was one of the most able, most learned, and most virtuous men that ever in any age adorned the profession of the Law. Endowed with feeble spirits, and having never cultivated the gifts of fancy, and probably not possessing any range of imagination, he chose for his study the severer branches of forensic exertion; and by assiduous labour long bestowed upon that dry study, became possessed of all the knowledge of our jurisprudence which industry can acquire, and the greatest natural sagacity marshal. Until the Practice is added to the Study of the law, the most diligent student cannot be said to have made himself a good lawyer; nor can he even ascertain whether or not he is destined ever to attain that eminence. After he began to plead below the bar, which is the particular branch of the profession that tends more directly than any other to unfold and to improve the faculties leading to this most desirable station, he soon became known for the conscientious application of his powers and his knowledge to the business he was entrusted with; and both his pupils benefited largely by his instructions, and his clients were comforted with a full and ready assistance in all their difficulties. When he had attained considerable reputation in this walk, he entered Westminster Hall; and soon rose to the first eminence upon that great circuit which distributes the streams of justice from the centre of the judicial system, through the vast counties of York and Lancaster, and the four northern provinces.

It was soon found that this distinguished person was far indeed from being a mere special pleader. He possessed a clearness and quickness of apprehension, a vigour and firmness of understanding, a just and becoming confidence in his own opinion, that shone through his natural modesty—a modesty singularly graceful, and allied to a most amiable and gentle nature, which neither the contentions of the forum could roughen, nor the severest of studies harden. To whatever branch of investigation he had devoted his life, in that he would have eminently excelled; and as in the stricter sciences he would have been a great discoverer, so he might be truly said to have a genius for law. His views were profound, and they were original. He saw points in a light that was unexpected and felicitous. But he reasoned, and he decided upon no affected conceits, such as Westminster Hall terms crotchets, or fancies, or whims. His admirable judgment always maintained its sway; and his opinion upon all mat-

ters submitted to him was still more remarkable for being sound than his reasonings were for being learned and ingenious. A result of all this great merit, which did more honour to him than to the other branch of his profession, was, that although no one enjoyed so high a legal reputation, few gained their professional income with harder labour. Whenever a difficult and important question arose, Mr Holroyd's opinion was eagerly sought upon all the cases which grew out of it, or became connected with it; and when ordinary matters of easy solution came into dispute, or where opinions upon questions of course were to be taken in point of form, or where causes were coming into court of which any one could settle the pleadings, or conduct the minor departments of the suit after it came into court, others were selected to perform the easy, every-day, lucrative work; the love of a little patronage operating on the attorney's mind more than a sense of justice. Nothing was more common, therefore, than to see this great lawyer answer eight or ten questions upon the construction of a cramp and obscure will; or the course of action fit to be pursued in seeking for the establishment of complicated rights; or the course of pleading most safe in defending nice positions; while ordinary men were in the same time reaping the golden harvest of ordinary business, presenting no kind of difficulty, and level to the most humble capacity.

In Court, he of course shone less than in Chambers. His figure was low, but his voice was pleasing; until interrupted by an affection of the trachea, which gave him a kind of constant cough for many years, and at last terminated his valuable life. His delivery was, if not striking or commanding, perfectly correct and natural. His style of argument was of the very highest order, although somewhat less venturous in topics than it ought to have been with so great a jurisconsult, or rather steering too near the defined and bold coast of authority. But his language was choice; his order lucid; his argumentation close; his discussion of cases, and his application of them, masterly;—showing an easy familiarity with all principles and all points, whether recondite or of common occurrence; and a profound judgment in weighing differences and resemblances, and tracing analogies and consequences, which was in vain sought for elsewhere. His famous argument in the case of Parliamentary Privilege\* is truly a masterpiece. The history of the law is there traced through the stream of cases with a superior hand, while the bearings of all authority in favour of the argument are given, with a felicity only equalled by the dexterity with which the adverse cases are

got rid of, and their force dissipated. The taste, withal, considering the exciting nature of the subject, is throughout severely chaste; nor can the most fastidious critic descry a spot whereon to fix for blame; while the most zealous enemy of Parliamentary oppression cannot find any ground for complaint in the strenuous exertions of the advocate. Arguments like these at once control the judge, as if they came from a higher authority; edify the party in whose cause they are urged; diffuse the useful light of information among the profession; and conserve pure and untainted the most refined taste in composition.

Although the habits of this illustrious lawyer did not often place him, and never voluntarily, in the position of a leader, it yet would occasionally happen that he might conduct some cause of importance before a jury; and then his admirable judgment, ready knowledge of his subject, and all its legal relations, correct taste, and inimitable suavity of temper, united all voices in his praise. His arrangement of the subject, and his diction, were alike perfect; what he wanted in the vigour of declamation, to which he made no pretension, was amply supplied by the combined force of his reasoning and by his luminous statement of facts; nor was he ever engaged in causes which demanded resources of wit or of pathos, the only portions of the rhetorical art to which he neither laid any claim, nor could find substitutes in his own proper stores.

In his conduct at the bar, whether at consultation or in court, whether as a leader or a junior and pleader, he was perfect. No man was more respectful to his leaders when a junior; none less assuming when he led. But though never wanting in courtesy, whichever station he filled, he never failed firmly to assert his own opinion, whether as to the law of the case or the discretion of conducting it, when he had a leader; nor to act with the entire resolution that belonged to his responsible position when he led himself. In every instance, however, the cause and the client were observed to be his sole object. To advance them was always his aim; to put himself forward, never. The most happy illustrations, the most sound legal topics, were suggested by him quietly, almost secretly, to his leader; from whose far less learned lips came forth, as if they had been his own, the sense of Mr Holroyd; who, so far from giving the least indication of the sources whence the point had come, only said a word in its support when absolute necessity required.

Having long adorned the bar, he was raised to the bench, chiefly, it was believed, through the exertions of Lord Ellenborough, who had known him intimately, and had always felt for him unbounded respect and esteem. As a Judge, he fully

sustained the high character which he carried with him from the forum. When he sat at *Nisi Prius*, it was delightful to see the familiar ease with which he handled all points that could be made before him, come they ever so unexpectedly upon him, or be they ever so much out of the every-day course of business. The manner, too, in which he dealt with them attracted especial admiration. ‘Sir,’ said Mr Sergeant Hullock, captivated with this, ‘he is like one of the old men, the great fountains of our law.’—‘But with a good sense and a just taste, rather belonging to our age than to theirs,’—was the proper and correct addition of one to whom the Sergeant’s remark had been addressed. The only defect which any one could charge on his judicial performances, was that from which it is so difficult for any one to be free who has been raised to the bench from behind the bar, and without the experience of leading causes. He cannot well take the larger and more commanding view of cases, which the leader naturally adopts, and to which he confines himself rather than to details. Hence, at least before experience of trying many causes has lent such lawyers expertness, they feel some difficulty in grappling with large and complicated cases; are apt to lose themselves in particulars; and are found unable to dispose of more than a very limited number of causes, however well they may try those which they are able to dispatch. To this remark Mr Justice Holroyd formed no exception. While no man tried a great case better, few so well, he would suffer a heavy cause paper to fall into arrear, from not apportioning his labour justly amongst the more important and more trivial matters. Indeed, except Lord Tenterden, and one or two of the later judges raised to the bench before the habits of the pleader had been formed, there are hardly to be found any exceptions to the rule which we have stated, as deduced from long experience of the profession.

Than this eminent and excellent person, no man was more beloved in private life, or could be more justly prized in all its relations. Of the strictest integrity, of unsullied professional honour, of the most sweet and equal temper, whether amidst the cares of private life (nor was he unacquainted with both its sorrows and difficulties), or in the discharge of his public duties as a magistrate, exposed to the wranglings of the bar, or in the part which he so long took as an advocate among all the contentions of the forum, his good-humour was constant and unruffled; so much so, that it seemed to cost him no effort at all either to exercise unwearied patience on the bench, or to command his suavity of temper at the bar. Of his valuable arguments, and of his learned and luminous judgments, the monuments remain in

the 'Term Reports' for the last thirty years of his life; of his eminently expressive countenance, at once sagacious, thoughtful, and mild, a likeness remains in Reynolds' portrait and print. It is only speaking the sense of all Westminster Hall to add, that, as his loss was deeply felt by the profession, so it will be very long indeed, in all probability, before such a great luminary of the law shall arise to shed a light over its dark precincts, and to exalt the glory of the bar.

Contemporary with this great lawyer, and for many years his associate upon the Northern Circuits, and afterwards for nearly as long his brother upon the bench, was the late Mr Justice Park, a Scotchman by birth, but who early in life settled in England, where he was called, when young, to the bar, formed his connexions, and spent his whole life. His diligence as a student having attracted the regards of Lord Mansfield, his natural kindness, and his national regard for Scotchmen, made him patronize the candidate for practice; and, under his encouragement, he wrote a useful book upon the law of Marine Insurance—a subject on which at that time some such work was not a little wanted both by mercantile and by legal men. This task he performed very respectably; and perhaps the success of the work, and the consequent rise into professional notice of its author, were not impeded by its plainness and want of all pretension, except to explain the subject, and record the points fixed by authority—claiming no praise for originality or profoundness of views, or for any very acute line of remark, either upon the cases or the principles. The same unambitious character marked the author's professional exertions; distinguished him on all occasions from those who affected loftier flights, and attempted the more difficult paths of the ascent; and contributed eminently to the favour which he soon gained and long enjoyed amongst the body of clients.

The plan of writing a Law-Book, as it seems one of the most natural, so it is found to be among the most certain means which an unemployed barrister can take to make himself known, and obtain the emoluments of his profession. After he shall have studied the various departments of our jurisprudence generally, it seems an easy transition to fix his attention upon some one subject which has never been fully illustrated; or never accurately discussed in any separate work; or which has only been handled in books of former days—books which the changes in the law, and the multitude of more recent decisions in the courts, have now made out of date, and comparatively useless either to the student or the practitioner. Time at this period of a professional life is of no value, for the party has no business to occupy it; books



are accessible in various ways; the practice of the courts is open to his daily observation; and he can profit by the suggestions and the experience of his brethren; by his intercourse with others both of his own standing and of his seniors;—an intercourse so easy, by the social habits of the English bar, both in town and on circuit, as to prevent any difference of age or professional rank from interposing obstacles to the fullest communication of doubts or difficulties, and the readiest solution of them. It is equally certain that a successful legal work powerfully assists the rise of the writer at the bar. He is known to have studied one subject at least, and to understand that thoroughly. In cases connected with it, he is taken in as a useful helpmate for the leader, whose knowledge of any branch of law is often comparatively scanty or superficial; nay, the author of such a treatise will often be preferred to much abler and even more eminent men, by the ill-judging zeal of attorneys, or added to them somewhat unnecessarily, by their excessive anxiety for the success of the cause. Hence this species of authorship has become, like attendance at sessions, or pleading below the bar, one of the avenues to practice; insomuch that the old saying, ‘There be three roads to success in the common law—sessions, pleading, and miracle’—may well be amended by adding a fourth, hardly less certain than either of the first two—authorship. Of circuit we have said nothing; going any but the very smallest circuits being as little attended with certain success as attendance on the Courts of Westminster; and a young barrister, on the Northern, or Western, or Oxford Circuits, being as little likely to obtain briefs if he comes among his ninety competitors for the business done by the remaining ten, unless recommended by pleading connexions, or by sessional practice, or by authorship, as if he took his seat at once on the back rows of the King’s Bench or Exchequer.

It thus happens that this Law-book Writing has become a kind of traffic; and has on the part of some dealers been subject to expedients and contrivances incident to other branches of business, and more bluntly than courteously denominated ‘tricks of trade.’ The choice of a subject is the first matter of important consideration; and herein it is to be observed, that the motives which guide other authors in their preferences, do not much operate in this department of letters. Thus the novelty of the subject is no ground at all of choosing it; on the contrary, it rather is an impediment; because the more new, the less it is connected with matters of frequent occurrence in actual practice. So its difficulty, from the older books and the cases decided in courts being nearly silent upon it, is no ground of preferring any subject. This is, no

doubt, a very good reason why some book should be written, because it proves the demand for it ; but it is no kind of reason why any given candidate for practice should be the person to supply that demand. For why ? His object is not to write a book, but to gain clients, by making himself known as having much studied a particular branch of the law ; and business is his object, not book writing, which he only takes as he does his post-horses, to help him on his way to briefs ; and unless he shows his knowledge on a subject which is frequently brought into court, he might as well have dead horses, or travel by the stage waggon. Again,—as the book is wholly a secondary, and, as it were, accidental matter in the speculation, it signifies little whether it be very well executed or not, so it be reasonably well done, and without any glaring omissions or errors ; for literary fame is no part of the thing sought after,—hardly professional fame,—but on'y just so much notoriety as may lead to the opportunity of acquiring professional emolument and reputation ; and if that can only be obtained through the medium of the authorship, whether the work be a first-rate or very moderate performance, signifies no more than the colour or the pedigree of the horses that shall afterwards take to York the author whom his book has converted into a leader of the Northern Circuit.

It is not very difficult to perceive, that all these circumstances together, derived from the nature and object of this department of literature, have a direct tendency to lower the excellence of the law books which are now given to the profession ; and to explain their great inferiority to the older works which we possess, handed down from the lights of other days. Instead of a Littleton, a Coke, a Plowden, a Blackstone, a Fearn, all, except one, men who had attained the heights of their profession before they took upon themselves the office of instructing mankind upon its mysteries, the student now becomes our teacher, and lawyers write law books before they have held half-a-dozen briefs. These books, too, being written to gain practice by pleasing the attorney, rather than to gain fame by pleasing the critic, are far, indeed, from being elaborated with diligence, or from displaying the utmost force of their authors ; not to mention that time being of incomparably more value than excellence, the object is rather to bring out a middling performance soon enough, to suit the plan of appearing on a particular circuit at a time certain.

We have said nothing of a yet less creditable practice which has flowed from pursuing the same course. As the object is to make a kind of advertisement of the author, to announce him for a person who has attended much to one branch of the law, if this can be effected without any book at all ever appearing, so much

the better ; the existence of the book being wholly immaterial, except as tending to notify its author to what is technically termed ‘the other branch of the profession.’\* Hence many works upon important branches of the law are from time to time advertised as about to be published, which yet never appear. But none of these advertisements are anonymous ; the names of the learned authors are affixed in large characters, very legible, on the blue covers of the ‘Term Reports’ and other books which are wont *volitare per ora* of legal men. It would be more easy than gracious to give specimens of this very humble species of legal book-making, if, indeed, it can with any propriety be so termed—

If book it might be called which book is none,  
Distinguishable in volume, page, or line,  
Or substance might be called that shadow seemed.

Some men have lived a while on such compositions ; their whole authorship being confined to writing four lines of an advertisement, and its direct profits, to the payment of a few pounds for the printing of treatises, of which the conciseness is more remarkable than the honesty.

The work of Mr Park on ‘Marine Insurance’ is not exposed to all these observations ; although unquestionably it was greatly above his, or any other young and inexperienced hand to undertake so large, important, and, in some respects, difficult a subject. Accordingly his book is at the most respectable ; it is by no means an excellent performance ; and as for its usefulness, although it is the best we have upon the subject, its appearance has in all probability prevented us from having one more adequate to the exigency and importance of the branch of law which it handles. But though a middling work, it had an eminent success. The subject was admirably well selected ; the execution was *par negotio neque supra* ; and it soon lifted the author to a certain consideration among practitioners. Having now obtained, by Lord Mansfield’s favour, the rank of King’s

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\* The circumlocution of ‘the gentleman near me’—‘the professional gentleman’—‘the respectable gentleman by whom I am instructed’—‘the other branch of the profession’—are eminently absurd ; and how attorneys themselves should be pleased with them, or otherwise than offended at them, it is hard to conceive. In like manner, ‘solicitor’ is often used as more grateful to the ear than plain attorney. Not so thought T. Lowton, who, being examined as a witness, when the soft-spoken counsel asked, ‘You are a solicitor, sir, I believe,’ would answer somewhat gruffly—‘No, I am an attorney.’ In fact, a solicitor is in Chancery—an attorney in courts of law.

counsel, he joined the Northern Circuit, which at that period offered a favourable opening to his business-like talents. Lee had just left it; Wallace was soon after made Solicitor-General, and quitted it also; Scott, afterwards so famous under the name of Lord Eldon, had already given up the eastern half, and only came to Lancaster; Law, afterwards Lord Ellenborough, and Cockell, were rising into the lead; and Topping was beginning to make himself known, although he then confined his practice to the circuit, nor had come regularly to Westminster Hall. In a short time Mr Park obtained a sufficient share of practice to justify his having taken rank, and he soon after began to lead with Cockell, Law, and Chambre. When Law became Attorney-General in 1802, Mr Park succeeded to the lead, which he retained without a rival, until, in 1815, he was made a puisne judge: for many years, too, he divided that of London and Middlesex with Gibbs and Garrow.

He was a person admirably well qualified for conducting all ordinary business; any thing which required no great display of eloquence—that is to say, the vast bulk of the advocate's multifarious duties. He was no great lawyer, yet possessed abundant knowledge of the common points that occur at *Nisi Prius*; quite enough to become master at consultation with such men as Holroyd, and Richardson, and Littledale, of any thing beyond the matters, chiefly relating to evidence, which occur without notice or the means of preparation; and he had the qualities necessary for taking up at the moment the suggestions of his more learned juniors, in meeting any unexpected objections in court. He had no considerable general knowledge, except that which all men acquire at *Nisi Prius*—the useful knowledge of men; and, accordingly, he was never for an instant above his audience, when he addressed even a country common jury. To eloquence he made slender pretension; but he had an easy flow of plain language, which, if it never rose high, nor even was always very correct, yet never sinned against good taste; while his voice was agreeable, neither low nor loud, and yet not monotonous; and his action singularly easy, natural, and good. Without any wit, or even humour, he would occasionally make the court laugh; and succeeded in casting ridicule upon an adverse cause or hostile witness, by a broad, laughing, staring kind of treatment, rather set off and borne out by his own good-humoured and animated visage accompanying his words, than by any thing in those words themselves which could lay claim to affect the hearers. Of the pathetic he was, if possible, yet less a master; and could no more touch the feelings than arouse the passions, or excite terror by declamation. But, in the stead of eloquence, he had

that in which eloquence mainly consists—the power of being, or of seeming to be, himself strongly affected; he was earnest, anxious, agitated; his client was the best and most amiable of men, and the most injured by far;—if plaintiff, injured by the advocates of the defendant's conduct—if defendant, by the unexampled atrocity of an action being absolutely brought against him, and dragging the good and dear man into court. The shadow of a suspicion never could cross the jury's mind, that the shadow of a doubt crossed the advocate's, of his case being the very best and clearest that ever came into a court of justice; and such is the magic of real emotion (for in him it could hardly be said to be put on), that a juror who had smiled during half the harangue, while not yet inclosed in the box, at seeing this continually renewed display of confident feeling in the counsel, no sooner 'came to the book and was sworn,' than he too in his turn, with all his fellows, unless some retired barrister should happen to be among the twelve, fell a victim to the earnest manner and confident and wheedling tone of this eminently successful performer.

In dealing with evidence his *forte* chiefly lay; and he did this with much success, whether in examining witnesses or commenting upon their testimony. Without the extensive talent for examination in chief which distinguished Mr Topping above almost all men, and enabled him to paint, through the mouth of his witnesses, a complete, coherent, and vivid picture of his case, Mr Park could obtain nearly all he wanted; while he almost equalled Mr Topping in his other great and useful faculty of comforting, restoring, and setting up again his witnesses, damaged by the fire of a successful cross-examination. Without the brilliant cross-examination of Mr Garrow, in one particular line perhaps the most remarkable at the bar, he yet could shake an adverse witness very powerfully; and often in the other department of getting round and surprising a witness, or seducing him into admissions, could obtain from him more than Mr Garrow himself could by such a stratagem; of which he was a less skilful master than of fierce assault.

His discretion in the conduct of a cause was great; his judgment being sure, and his command of himself, generally speaking, perfect; and his devotion to the cause—the single object of getting the verdict—absolute and entire. With the Court he always endeavoured to make friends, and for the most part with success; with his clients his decorum was becoming, not harsh or supercilious, nor yet crouching; with his professional brethren his manner was unexceptionable,—showing neither fear of his superiors, jealousy of his equals, nor haughtiness to his inferiors. His temper, partly through long and painful disease, was occasionally irritable, but never violent, nor ever testy, or even peevish. He

had his little weaknesses, like other men, which at the bar, and still more afterwards on the bench, afforded matter of good-humoured merriment; nor was he himself apt to be offended when the laugh resounded 'at his own proper cost and charge.'

As he was in Westminster-Hall, so he proved when he became a judge—excellently suited to the ordinary demands of business; though occasionally found less equal to great occasions, chiefly of a legal kind. He could dispatch the business of a heavy circuit with great satisfaction to both the bar and the suitors; and even in his latter days, when nearly threescore and ten years of age, in trying a great Will cause,\* he showed a vigour of body and acuteness of mind, extraordinary certainly for any period of life;—summing up the evidence, after six or seven days' trial, in an address which lasted with unbroken fluency from mid-day to past midnight. This cause also exhibited one of his worst weaknesses, that of taking an early and unalterable bias, arising from an amiable belief in some party's good faith, or, it might be, a laudable indignation at some other party's misconduct. He suffered this to influence him, and throughout the long trial, made every thing bend to it; and really mistook, perversely though most unintentionally, the drift of the proofs adduced, in order to make the whole chime in with his scheme of the transaction. He was at heart a just man, however; and never suffered himself to be led away by any partiality towards counsel; neither shewing the least apprehension of the most powerful leaders, nor the least prejudice in favour of one over another. No advocate, were he ever so powerful in himself, or so popular in his following, could hope to intimidate him; none, be he ever so obsequious, might expect to wheedle him into an act of unjust favour.

The opinions of Mr Justice Park were all along those of a high Tory in church and state. He never mingled in politics, and therefore could be only indirectly and accidentally known as a party man. But his religious principles were strong, and the fervour of his devotion great. He seemed to love the Church as by law established, fully as much as he did the religion to preach which it is maintained; and he regarded a departure from the doctrines and discipline of the hierarchy, with feelings of as much alienation, not to say repugnance, as one from the creed of the dispensation itself. The only occasions, out of the profession, on which he appeared as an author, were connected with his religious or his ecclesiastical feelings. He published a tract exhorting to the Sacrament, called, 'The Benefit of Frequent

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\* *Wright v. Tortham*.

‘and Early Communion;’ and he printed, for private circulation, a biographical sketch of an old gentleman, long secretary of Queen Anne’s bounty, and chiefly remarkable for that which assuredly obtained for him the somewhat equivocal blessing of so learned a biographer,—his old-fashioned, steadfast, dogged adherence to the Establishment in all its parts, and his aversion to all forms and shades of dissent.

The contemplation of Mr Justice Park’s rise and success in life is calculated to be of material service; and to exercise a salutary influence over the minds of by far the most numerous class of well educated society. His talents were not above mediocrity,—unless that he was endowed with natural quickness, and had some power of steady application. He had nothing profound in the cast of his thoughts; nothing remarkably perspicacious; no fury, no fire, no natural dignity or grace, except what a good voice and an unconstrained action bestowed. He had amassed no store of legal learning; he had no classical, no scientific attainments; he was without fortune, without rank, without any political or other powerful connexions. Yet did he live as happy and as respectable a life for above half a century that he was in the profession, as any man could desire; and after having been one of its leading members, he sat for four-and-twenty years on the bench, with the just reputation of being a good judge. He enjoyed large emoluments, high rank, and general respect. To what did he owe these valuable possessions? To no rare genius, or even great talents, or extraordinary accomplishments, but to prudent conduct; sufficient but not excessive industry; steady attention bestowed upon one object—that object being his profession; from which nothing either in politics, or in literature, or in amusement diverted him; to uniform suavity of demeanour; to constantly making in business the success of his cause the paramount object; and never being drawn aside from the point of his clients’ interest by any selfish feeling of feeding his own vanity, or making any sacrifices either to amusement or to display. Such sacrifices, such gratifications, may with more safety be indulged, when the gifts of genius or commanding eloquence accompany the more homely powers which common business requires. Even then they are perilous relaxations from the severity of forensic discretion. But where such rare endowments are wanting, their place being supplied by prudence and by conduct, the ample measure of success which Mr Justice Park reached may be pronounced as of tolerably certain attainment.

Among those whose names have been incidentally mentioned in portraying Mr Justice Park, is Mr Abbott, afterwards Lord Tenterden;—a man of great legal abilities, and of a reputation

which, though high, was by no means beyond his merits. On the contrary, it may be doubted if he ever enjoyed all the fame that his capacity and his learning entitled him to. For he had no shining talents; he never was a leader at the bar; his genius for law was by no means of the depth and originality which distinguished Mr Holroyd; nor had he the inexhaustible ingenuity of Mr Littledale; nor perhaps the singular neatness and elegance of Mr Richardson. His style of arguing was clear and cogent, but far from brilliant; his opinions were learned and satisfactory, without being strikingly profound; his advice, however, was always safe, although sometimes, from his habitual and extreme caution, it might be deficient in boldness or vigour. The course of publication, so successfully pursued by Mr Park, was likewise adopted at a subsequent period by Mr Abbott, but after he had secured his place among special pleaders: it accelerated his rise in the profession, but did not cause that rise. His subject, the 'Law of Shipping,' was well calculated to interest both lawyers and traders; and the merit of the work is much superior to that of Mr Park. It displays far greater learning; is better arranged; more fully handles the subject, and is better written. It is to be classed amongst the standard works in our law; whereas Mr Park's only receives the humbler praise of having filled up reasonably well an acknowledged blank in the legal library.

With these qualifications for the profession, with the respectful demeanour towards his superiors, and especially the court, which he always maintained in some excess, and with the principles of an Oxford Tory, as well as the standard accomplishments of an Oxford scholar, also in considerable excess, it was to be expected that he should make his way steadily at the bar. He was first a successful pleader; then a barrister well employed in the junior departments of the profession; a favourite first in the Oxford circuit, and afterwards in Westminster Hall; finally, the standing council to all the great Government departments; and besieged late and early by clients desiring his advice both upon their cases and their pleadings. As a leader, he very rarely, and by some extraordinary accident only, appeared; and this in a manner so little satisfactorily to himself, that he peremptorily declined it whenever refusal was possible. Indeed he showed none of the capacity which distinguished Mr Holroyd, where the same unwelcome chance befell him; for he seemed to have no notion of a leader's duty beyond exposing the pleadings and the law of the case to the jury, who could not comprehend them with all his explanation. His legal arguments, of which for many years the books are full, were extremely good, without reaching any very high pitch of excellence; they were quite



clear, abundantly full of Case Law ; betokening some dread of grappling with principle, and displaying none of the felicitous commentary that marked Mr Holroyd's.

Like most English lawyers, he married early in life, and lived wholly in his own family ; associating less with his brethren at the bar than any man of the day. But his hours of relaxation were not passed in idleness. The classical acquirements, in which he surpassed most men, formed the solace of his leisure ; and to the end of his life he not only had a high relish for such pursuits, but wrote Latin verses with peculiar elegance and perfect ease. What is far less rarely met with,—especially added to such tastes and such acquirements,—he was well versed in natural philosophy, particularly in the various branches of mechanical science. Nor did any one out of the trade better understand all the details of machinery, in examining which his accurate mind took a peculiar pleasure.

Although his reputation at the bar was firmly established for a long course of years, it was not till he became a judge, hardly till he became Chief-Justice, that his merits were fully known. It then appeared that he had a singularly judicial understanding ; and even the defects which had kept him in the less ambitious walks of the profession,—his caution, his aversion to all that was experimental, his want of fancy,—contributed with his greater qualities to give him a very prominent rank, indeed, among our ablest judges. One defect alone he had, which was likely to impede his progress towards this eminent station ; but of that he was so conscious, as to protect himself against it by constant and effectual precautions. His temper was naturally bad ; it was hasty, and it was violent ; forming a marked contrast to the rest of his mind. But it was singular with what success he fought against this, and how he mastered the rebellious part of his nature. It was, indeed, a study to observe this battle, or rather victory ; for the conflict was too successful to be apparent on many occasions. On the bench it rarely broke out ; but there was observed a truly praiseworthy feature, singularly becoming in the demeanour of a judge. Whatever struggles with the advocate there might be carried on during the heat of a cause, and how great soever might be the asperity shown on either part, all passed away—all was, even to the vestige of the trace of it, discharged from his mind, when the peculiar duty of the judge came to be performed ; and he directed the jury, in every particular, as if no irritation had ever passed over his mind in the course of the cause. Although nothing can be more manifest than the injustice of making the client suffer for the fault or the misfortune of his advocate,—his fault, if he misconducted himself towards the judge—his misfortune, if he unwittingly gave offence ; yet, whoever has

practised at *Nisi Prius* knows well how rare it is to find a judge of an unquiet temper, especially one of an irascible disposition, who can go through the trial without suffering his course to be affected by the personal conflicts which may have taken place in the progress of the cause. It was therefore an edifying sight to observe Lord Tenterden, whose temper had been visibly affected during the trial (for on the bench he had not always that entire command of it, which we have described him as possessing while at the bar), addressing himself to the points in the cause with the same perfect calmness and indifference with which a mathematician pursues the investigation of an abstract truth; as if there were neither the parties nor the advocates in existence, and only bent upon the discovery and the elucidation of truth.

His eminence as a judge was great and undeniable: it was in a short time confessed by all, even by those who had some prejudice against him at first, from marking the extreme contrast between him and his more brilliant predecessor; and from the impression, generally prevailing, and in general well founded, that men who never have led causes at the bar make indifferent judges, and are unequal to the dispatch of judicial business. Lord Tenterden from the first displayed great judicial capacity; yet it is certain that, for some time, he formed no very remarkable exception to the rule. He took no general and comprehensive view of a case; he examined its details part by part; he did not, like a leader, get up on an eminence, and from thence survey the subject in all its bearings; nor was he aware of the relative importance of its different portions. But in order to perform his office, he would select one particular compartment, and he would choose not the most difficult. To this he bent his attention, and seemed a good deal troubled, and even impatient, if it were drawn away to other points not within the limits which he had chosen to trace. It is remarkable not only how this habit wore off, instead of being confirmed and extended; but also how great a start he made in improvement after he had been five or six years chief of his court; and, on the occasion of a long and severe illness, that seemed to render his retirement from the bench inevitable. His temper was softened; his attention became more comprehensive; he viewed things more upon an enlarged scale; his industry was not relaxed,—increased it could not be; and during the last seven or eight years of his time he exhibited a very eminent instance of great judicial capacity. At all times his law was safe, and accurate, and ready; but he could now deal far more ably with facts. He never was without great influence over the jury; but as he now could en-

lighten their minds more fully, his weight was increased. His patience became greater as his sway over the bar was extended ; and as men compared the somewhat violent dispatch of the preceding reign with the more deliberate march of justice while he was her minister, they deemed the greater vigour and more manly capacity of his celebrated predecessor well exchanged for the fuller and more satisfactory discussion of all causes during his rule. It is true that fewer cases were dispatched, and the Paper fell into arrear ; but there is something better than speedy decision ; and that is substantial justice, which requires full hearing before judgment.

It may, indeed, well be questioned if ever Lord Ellenborough could have dispatched the business of the Guild-Hall Sittings with the same celerity that marked his reign, had he survived to the later times. The suitors as well as the bar were no longer the same body, with whose interests and with whose advocacy he had to deal. In his time, the whole city business was in the hands of Gibbs, Garrow, and Park ; with occasionally, as in the cases of the Baltic risks, the intervention of Topping ;\* and it was a main object with them all to facilitate the dispatch of business. This they effected by at once giving up all but the arguable points of law, on which they at once took the judge's opinion ; and the maintainable questions of fact, on which they went to the jury. Fifteen or twenty important causes were thus disposed of in a morning, more to the satisfaction of the court and the benefit of the counsel, than to the contentment of the parties or their attorneys. It is true that no real loss was, in the vast majority of instances, sustained by any one through this kind of arrangement, while the time of the public was saved. But it is equally true that every now and then a slip was made and a benefit lost ; and that nothing can guard against such accidents but the right course of thoroughly sifting each case, as if it were the only one in which the advocate was retained, or which the judge had to try. Nor must it be forgotten that the right decision of causes is only one,

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\* The mention of this most honourable man, in connexion with those cases, recalls an incident so creditable to himself, and to the renowned profession to which he belonged, that it ought not to be passed over in silence. A general retainer of a thousand guineas was brought to him, to cover the Baltic cases then in progress. His answer was, that this indicated either a doubt of his doing his duty on the ordinary terms known in the profession (one guinea particular, and five guineas general retainer), or an expectation that he should do something beyond the line of his duty, and therefore he must decline it. His clerk then accepted of the usual sum of five guineas, and he led on these important cases for the defendants.

though certainly the most important office of justice. Another, only second in importance to that, is the giving parties satisfaction,—such satisfaction as is enough for reasonable persons. Now, as every person is impressed with the idea that there is but one cause in the world, and that his own, however unmindful of this the court and the counsel may be, discontent, heart-burnings, feelings of injustice suffered, desire of redress in other ways, and among these, oftentimes by means of other suits, is sure to be left in the train of Themis, when the pace she moves at is too rapid for ordinary eyes to follow, and breaks through the surrounding ties and feelings of interest too rudely. Hence, the dispatch effected is frequently more apparent than real; of which a remarkable example used to be afforded by Sir John Leach, whose swift decisions, without hearing, only produced appeals to the Great Seal. But in whatever way these opinions may be disposed of, one thing was certain;—the kind of arrangement which has been described as prevailing among the leaders in Lord Ellenborough's time could only be found practicable as long as the lead should be confined within a very few hands. When it was at all scattered, such a thing was altogether out of the question; and in Lord Tenterden's time this distribution undeniably took place.

It may be supposed from what has been said of his scientific as well as classical acquirements, that, in trying causes where these accomplishments could be displayed, he rose above the ordinary level of his great merit. To see him preside over a complicated Patent case was a very great treat, whether to a lawyer or a man of science. It was a singular exhibition of legal combined with mechanical skill,—each keeping within its own proper sphere, but each conspiring with the other to obtain the full investigation of the cause in all its bearings, and its clear elucidation to the jury. He it was, too, who first leant against the absurd, unjust, and mischievous refinements by which almost all former judges conceived it fit that they should display a constant astuteness to defeat the claims of a Patentee, upon the unreflecting notion of his right being a monopoly, and the public interest being damaged by it; wholly forgetting that his genius and labour had been first given to the public in reversion to purchase the temporary possession of that monopoly.

The merits of this distinguished judge having been recited, it is fit that we advert to his few defects. These were borrowed from his temper in part; and in part transferred from the professional habits of his limited walk while a practitioner. He never could endure the 'trick' of the bar, as displayed in its leading advocates; nor was there any great harm in this; had it stoppt

here. But he seemed always to suppose that an address to a jury could be framed on the model of a special plea, or the counts of a declaration, only without the prolixity and repetition habitual with pleaders; and to forget that the surest way of bringing out the truth in any case is to let the conflicting feelings and interests of parties come into their natural collision. His impatience was thus very manifest; and had his nerves been in the same proportion firm as his dislike to declamation and illustration was strong, a struggle would have ensued in which the eloquence of the bar would either have been extinguished, or have silenced and discomfited the bench. In like manner, when, during the interlocutory discussions with the counsel, whether on motions in Banc, or on objections taken before him at *Nisi Prius*, he was uneasy, impatient, and indeed irascible, at nothing so much as at cases put by way of trying what the court had flung out. Being wholly void of imagination to supply cases in reply, and even without much quickness to sift the application of those put, he often lost his temper, and always treated the topic as an offence. But it was chiefly in obstructing cross-examination, which he wholly undervalued, from his utter incapability of performing his part in it, that his pleaderlike habits broke out. Had he been submitted to in this matter, cross-examination would have been only known as a matter of legal history. His constant course was to stop the counsel, by reminding him that the witness had already said so; or had already sworn the contrary, and this before the question was answered; to which it was natural, and indeed became usual, for the counsel to make answer that this was the very reason why the question had been asked; the object being either to try the witness's memory or to test his honesty.

It must be admitted that, in all these respects, the position of a judge while sitting at *Nisi Prius*, is somewhat anomalous. He presides, indeed, over the whole proceedings; but the jury holds *divisum imperium*; and he sits there as the nominal chief while the advocate is sometimes dealing with the witness as if no judge were present, and sometimes addressing the jury, careless whether the judge hears him or not;—equally indifferent whether he approves or disapproves what he says. Princes, it is said, cannot allow any one to address another in their awful presence; nay, the code of etiquette has embodied this feeling of sensitive royalty in a rule or maxim. The ruler of the court has as little love of a proceeding which, in the prefatory words, 'May it please your lordship,' seems to recognise his supremacy; but in the next breath leaves 'his lordship' as entirely out of view, as if he were reposing in his bed, or gathered to his fathers. Few

judges, accordingly, are so considerate as to be patient of eloquence, whether in declamation or in witty illustration; few regard these flights otherwise than as in derogation from the respect which is their own especial due. To address passions which they are forbidden to feel—to contemplate topics that must be suited to any palate rather than theirs—to issue jokes by which they ought not to be moved while all others are convulsed—seems incompatible with their station as the presiding power, or a violation of that respect which it ought to inspire. Lord Tenterden, more than most judges, appeared to feel this; and it was a feeling wholly founded in a forgetfulness of the very nature of jury trial, as it was unworthy of his solid sense and great sagacity. In the distribution of criminal justice the case is widely different. The anxiety necessarily attendant upon the judge's highly responsible office here leads him to court all help from the ingenuity of counsel. Before the addressing the jury was allowed in cases of felony, the chances of collision were of course more limited; but even now nothing of the uneasy feeling to which we have been adverting has been found to have taken place since the recent change of the practice in criminal courts.

It was a considerably greater fault than any we have noted, and proceeded from a much less creditable cause, that Lord Tenterden showed no little variety of firmness and of temper on different occasions, and towards different persons. Of him it might be said that he had a different measure of patience and courtesy for different classes,—even for different individuals. It could not be said of him that he was no respecter of persons. The bar felt this somewhat; the witnesses felt it more; the parties never felt it at all. Its scope was confined to the mere accident of outward behaviour and manners; nothing beyond that. When on one occasion he had, with some roughness, addressed to a witness, who was looking another way, an advice not unusual with him, and not very delicately couched, ‘to hold up his head, and speak out like a man,’ it was amusing to observe the fall of both countenance and voice when the witness turned upon the judge the face of the Chairman of the Honourable East India Company.

If from this, and from his known opinions in Church and State, it should be inferred that he was obsequious to power,—or made himself more an instrument of convicting libellers than all, or nearly all, have done who have filled his exalted station,—a great mistake would be committed. That he acted up to the general standard of dislike towards the licentiousness of the press; that he overstept with them the true bounds of that dislike, and with them confounded free with criminal license—is as

certain as that he did by no means outstrip them in his warm affection for tame and decorous writing. But although this is undeniable, it is equally certain that he performed his part more successfully than Lord Ellenborough; because more skilfully and more temperately; nor could any thing have been more unfortunate for the press in this country, than that, under his administration of the criminal law, attempts should have been made to put it down by prosecutions; because few things which never happened can be more certain, than that he would have obtained many a verdict of conviction where his vehement predecessor would have failed.

We have omitted to mention one quality that eminently distinguished Lord Tenterden; and the omission has been designed. We allude to the regularly correct, succinct, and appropriate language in which his statements and his reports were clothed. In this kind of diction he was surpassed by none; and hardly equalled by any. No doubt his success in expressing his ideas was in part owing to his avoiding all large or venturous matters; and confining himself within limits not difficultly surveyed and scanned. But within that range his diction was extremely happy. When he, for the first time, appeared in political affairs, this distinguishing excellence was shown with considerable effect. The judges attending the scandalous mockery of justice, falsely called the Queen's Trial, in 1820, were represented by Chief-Justice Abbott, he not then having been raised to the peerage. Many occasions arose for putting questions to those learned persons, and their answers were returned through their learned chief. The correct and luminous language in which these opinions were couched drew forth universal applause; the soundness of some of the opinions may well be doubted; nor can the most remarkable decision to which the cause gave rise—that upon questioning a witness as to what he had before written, without showing him the paper, if any there were\*—be defended upon any principle, or regarded as otherwise than founded on a gross fallacy. This seems now to be pretty generally admitted, although unfortunately the rule is still acted upon as law by all the judges.

Here began and here ended the success of this eminent lawyer in political life. When raised to the peerage in 1827, he took no part in public affairs, beyond entering his strong protest in the debate, and giving his vote in the division against the Reform Bill.

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\* This *if*, were there no other argument against the rule laid down, completely destroys its foundation.

But he was the author of some improvements of much value in that important part of the law which relates to limitation of actions. By two bills which he introduced and carried through, the statute which limits actions, has first received a truly beneficial application, a new promise in writing, being required to evade the statute; and the claims of the church were, by his other bills, for the first time, made subject to any limitation at all. Other rights are also required to be prosecuted within a specific time; though the structure of this portion of his second bill is liable to many objections. It is known that he particularly valued himself upon his skill and diligence in framing statutory enactments. His title to the latter praise is unquestionable, for he bestowed on his draughts the greatest pains. His skill is much less conspicuous; although one might have expected him to display uncommon excellence in this department, who had pronounced so severe, and, it must be admitted, so just a sentence upon the works of the legislature, as to declare that though not '*inops concilii*, it 'seemed to be *magnas inter opes inops*.'

It is not possible to find a more marked or a wider contrast between two men in any department than was presented by the two succeeding Chief-Justices of England, one of whom we have just been endeavouring to describe; and the task of describing his predecessor, is in consequence of this great diversity far easier. Instead of the cautious circumspection which we have been tracing in all its forms and consequences, Lord Ellenborough despised even much of what goes to form ordinary discretion; and is so much overrated by inferior natures as the essence of wisdom, but so justly valued by calculating ones as the guarantee of success. Of compromise, whether regarding his opinions or his wishes, he knew not the meaning; of fear, in any of its various and extensive provinces, he knew not even the name; or, if he saw its form, yet he denied its title, held its style in mockery, and would not, even for an instant, acknowledge its sway. Far, indeed, from cradling himself within the details of a subject, he was wholly averse to such narrow views of particulars; and took a large and commanding survey of the whole, which laid open before him all its parts and all their relations. Bred a pleader, he, however, on coming to the bar, early showed that he only retained the needful technical knowledge which this preparatory practice had bestowed on him; and he at once dashed into the leading branch of the profession. The famous case of Mr Hastings—the opprobrium of English justice, and, through mismanagement and party violence, the destruction of the greatest remedy afforded by our constitution,—soon opened to Mr Law the highest walks of the bar. He was the defendant's leading counsel; and his talents,



both as a lawyer and a speaker, shone forth conspicuous even upon that great occasion of oratorical display;—the only fruits produced by this proceeding, so costly to the country, so much more costly still to the free constitution of England. He soon rose to the unrivalled lead of the Northern Circuit, to which, by birth, he belonged; his father being Bishop of Carlisle, and himself born at the village of Salkeld,\* in Cumberland. In Westminster Hall he had also good success, though he never rose there into the first lead; having indeed to contend with able advocates, and among them with Erskine, the greatest of all. Lord Kenyon, whose favour for this illustrious ornament of his court we have already had occasion to remark, was supposed, or was felt by Mr Law, to be partial more than became him to this formidable antagonist; and a quotation to which this feeling gave rise, is often cited, and justly, as singularly happy. Mr Erskine had been, somewhat more than was his practice with any adversary, triumphing over him, when Mr Law, first addressing him and then Lord Kenyon, thundered forth these fine, and expressive, and singularly applicable lines, with the volume of tone which he possessed beyond most men—

— Non me tua fervida terrent  
Dicta ferox; Di me terrent et Jupiter hostis.

Here he bowed sarcastically to the Chief-Justice, while he dwelt and paused upon the name of the heavenly archetype.

As a lawyer, without being very profound, and confining his learning to the ordinary matters of common law, he yet knew quite enough for ordinary occasions; and afterwards, as generally happens with able men, greatly extended his information when raised to the bench. As an advocate he was vigorous, impressive, adventurous; more daring than skilful; often, from his boldness, not a safe leader; always despising the slow progress, the indirect avenues to victory, which the rules of art prescribe;—always preferring to vault over obstacles, follow the shortest line, and cut the knot rather than waste time in untying it. But he could powerfully address the feelings, whether to rouse indignation at cruelty, or contempt at fraud, or scorn at meanness. For his own nature had nothing harsh in it, except his irascible temper, quickly roused as quickly appeased; his

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\* This village is now remarkable as the residence of Mr Gaskin, a man of the most sterling merit as an astronomer and maker of exquisite telescopes; father of the tutor of Jesus College, Cambridge, so well known for his mathematical accomplishments.

mind was just, abhorring any deviation from equity; his nature was noble, holding in utter contempt every thing low or base; his spirit was open, manly, honest, and ever moved with disgust at any thing false or tricky; his courage was high, leaving him more scorn than compassion for nerves less firm than his own. Nor was it only the thunder of his fierce declamation—very effectual, though somewhat clumsy, and occasionally coarse—with which he could prevail against an adversary, and master an audience. He had no mean power of ridicule,—as playful as a mind more strong than refined could make it; while of sarcasm he was an eminent professor, but of the kind which lacks, and tears, and flays its victims, rather than destroys by cutting keenly. His vigorous understanding, holding no fellowship with any thing that was petty or paltry, naturally saw the contemptible or inconsistent, and so ludicrous aspect of things; nor did he apply any restraint on this property of his nature when he came into stations where it could less freely be indulged. His interrogative exclamation in Lord Melville's case, when the party's ignorance of having taken accommodation out of the public fund was alleged—indeed was proved—may be remembered as very picturesque, though perhaps more pungent than dignified. 'Not know money?' 'Did he see it when it glittered? Did he hear it when it chinked?' On the bench, he had the very well known, but not very eloquent Henry Hunt before him, who, in mitigation of some expected sentence, spoke of some who 'complained of his dangerous eloquence'—'They do you great injustice, sir,' said the considerate and merciful Chief-Justice, kindly wanting to relieve him from all anxiety on this charge. After he had been listening to two Conveyancers for a whole day of a long and most technical argument, in silence, and with a wholesome fear of lengthening it by any interruption whatever, one of them in reply to a remark from another judge said, 'If it is the pleasure of your lordship that I should go into that matter.'—'We, sir,' said the Chief-Justice, 'have no pleasure in it any way.' When a favourite special pleader was making an excursion, somewhat unexpected by his hearers, as unwonted in him, into a pathetic topic—'An't we, sir, rather getting into the high sentimental latitudes now?'

It was observed with some justice, that his periods occasionally, with his manner, reminded men of Johnson. When meeting the defence of an advocate for a libel on the Prince Regent, that it had been provoked by the gross, and fulsome, and silly flattery of some corrupt panegyrist—'What,' said he, 'an offence against the law of the land, provoked by an offence against the laws of taste! How frail is the tenure by which men hold their reputation, if it may be worn down and compromised away between the mischievous

‘flattery of fulsome praise, and the open enmity of malignant ‘abuse.’ But it was observed with much less correctness that his sarcasms derived adventitious force from his Cumberland dialect. From his manner and voice, both powerful, both eminently characteristic, they assuredly did derive a considerable and a legitimate accession of effect. But his dialect was of little or no avail; indeed, except in the pronouncing of a few words, his solecisms were not perceivable. It was a great mistake to suppose that such pronunciations as Marchant, Hartford, were provincial; they are old English, and came from a time when the spelling was as we have now written the words. He was of those, too, who said ‘Lunnun’ and ‘Brummagem;’ but this too is the good old English dialect, and was always used by Mr Percival, who never crossed the Trent except twice a-year going the Midland Circuit. Mr Fox, a lover of the Saxon dialect, in like manner, always so spoke—and preferred Caees, and Sheer, and Groyne, to Cadiz, Shire, and Corunna.

When his powerful mind was brought to bear upon any question that came before him, whether sitting alone at *Nisi Prius*, or with his brethren in Banc, the impression which he made upon it was immediate, sure, and deep. Sometimes it required the modification of the whole court revising what he had done alone; sometimes the interposition of his fellows sitting with him; but its value was always great, and no man doubted the energy or could avoid feeling the weight of his blows.

The Books are perhaps not the only quarters whither we should resort to find the memorials of a Chief-Judge’s learning or talents for transacting judicial business. All that relates to sittings and circuits—that is, nearly two-thirds of his judicial labours, and by far the most important portion of them—leaves no trace whatever in these valuable Repertories of legal learning. Yet the Term Reports bear ample testimony to the vigour of this eminent individual’s capacity, during the eighteen years that he filled the first place among the English judges.

His manner has been already mentioned in one particular. It was much more faulty in another. He was somewhat irascible, and occasionally even violent. But no one could accuse him of the least partiality; his honest and manly nature ever disdained as much to trample overbearingly on the humble, as to crouch meanly before the powerful. He was sometimes impatient; and, as his mind was rather strong than nimble, he often betrayed hastiness of conclusion more than he displayed quickness of apprehension. This slowness was shown by his actually writing his speeches for many years after he was a leader; and to the end of his professional life, he would occasionally commit to paper

portions even of his intended reply to the jury. It was a consequence of this power of his understanding, and of his uniform preference of the plain, sound, common-sense views which vigorous minds prefer, that refinements or subtleties were almost as little to his liking, as to the taste of his more cold and cautious successor. But he was not so much disturbed with them. They gave him little vexation, but rather contributed to his mirth, or furnished fuel for his sarcastic commentary. ‘It was reserved (said he, respecting a somewhat refined and quite a new gloss upon well known matter)—‘It was reserved for the ingenuity of ‘year 1810, to hit upon this crochet.’

In his political opinions, Lord Ellenborough was originally like the rest of his family, a moderate Whig. But he never mingled in the associations or proceedings of party; and held an independent course, with, however, considerable disinclination, at all times, to the policy and the person of Mr Pitt. He joined Mr Addington’s Administration as Attorney-General, and came into Parliament, where he did not distinguish himself. Lord Kenyon’s death soon after made way for him on the bench; and he was, at the same time, raised to the peerage. The quarrel between that administration and Mr Pitt did not reconcile him to that minister; and against Lord Melville he entertained a strong personal as well as party prejudice, which broke out once and again during the proceedings on his impeachment. The accession of the Whigs to power, in 1816, was accompanied by their junction with Lord Sidmouth; and, as he required to have a friend in the strangely mixed cabinet, the unfortunate choice was made of the first Criminal and Common Law Judge in the land, of whom to make a political partizan;—he whose high office it was to try political offences of every description, and among others the daily libels upon himself and his colleagues. This error has ever been deemed one of the darkest pages of Whig history. Mr Fox made a dexterous and ingenious defence, quoting a few special precedents against the most sound principles of the constitution; and defending an attempt at corrupting the pure administration of criminal justice by appeals to instances of Civilians and Chancery lawyers sitting in Parliament.\* But Lord Ellenborough’s own son lately took occasion honestly to state that his father had told him, if it were to do over again, he should be no party to such a proceeding.

On the bench, it is not to be denied that he occasionally suffered the strength of his political feelings to break forth, and to influence the tone and temper of his observations. That he ever, upon any one occasion, knowingly deviated one hair’s breadth from justice in the discharge of his office is wholly untrue. The

case which gave rise to the greatest comment, and even led to a senseless show of impeachment, was Lord Cochrane's. We have the best reason to know that all who assisted at this trial were in truth convinced of the purity with which the judicial duties were discharged, and the equality with which justice was administered. Lord Ellenborough was not of those judges who, in directing the jury, merely read over their notes and let them guess at the opinions they have formed;—leaving them without any help or recommendation in forming their own judgments. Upon each case that came before him he had an opinion; and while he left the decision with the jury, he intimated how he thought himself. This manner of performing the office of judge is now generally followed and most commonly approved. It was the course taken by this great judge in trying Lord Cochrane and his alleged associates; but if any of those who attacked him for it, had been present at the trial of the case which stood immediately before it or after it in the Paper, he would have found Lord Ellenborough trying that case in the self-same way—it being an action upon a bill of exchange or for goods sold and delivered.

Of the Government under which Lord Ellenborough made his entry into political life, Lord Liverpool was one of the most distinguished, useful, and respectable members. But before proceeding to record his merits and his defects, after having so long dwelt upon great English lawyers, we shall naturally enough be asked, if the ancient kingdom of Scotland has produced no lights of the law in later times—no worthy successors of the Stairs, the Hopes, the Dirletons, the Mackenzies, the Erskines of former times—that we must resort to the sister kingdom for our examples of judicial or of forensic renown? This warns us to do justice by our own countrymen—to look at home—and at least to make a small selection from, and portray one or two favourable specimens of native, before continuing our sketches of foreign talent. Let it not be thought, that in only sketching Erskine and Blair, the list of distinguished Scottish lawyers is limited to these two. No one who knows any thing of Lord President Campbell, of Lords Kames, Hailes, Monboddo, Braxfield, and Eldin, or of Mr William Tait, and Mr Matthew Ross, can entertain any doubt that the bench and the bar of those times were adorned by many men of vigorous and varied ability, profound learning, extensive capacity, and penetrating acuteness. But other reasons than the want of subjects, oblige us to limit ourselves to two whose very different characters and talents present some favourable points for contrasted delineation.

Exaggeration is ever hurtful to its object. It is foolish, then,

to pretend that there was any equality between the two celebrated brothers who, for so many years, filled the first stations at the Scottish and the English bar. But, as their talents were so different, that it is more easy to say in what they differed than where they were alike, so a just comparison can hardly be said to place one over or under the other, any more than if their pursuits had been wholly diverse. Henry ~~Mar~~skine had nothing whatever of the genius which marked his illustrious brother; it might not, indeed, be incorrect to say, that he was not a man of genius at all. But he was a man of splendid talents. The finest wit would have been his, had it only been trained in a more refined school, and exercised in a larger sphere, instead of being confined to a provincial one. Of a most ready as well as retentive memory; of a miraculous quickness of apprehension, if not always as sure as rapid; of perfect judgment and discretion, above all, in the management of causes, in the absolute prudence of conducting which he resembled—and in that almost alone resembled—his celebrated relation; of learning, such as our Scotch law learning is, quite enough to meet the ordinary demands of practice, though never making pretensions to the fame of a first-rate lawyer; of versatility much greater than his brother's, in as much as he could handle his subject in any way, and rather preferred the gay, the humorous, even the droll, to the serious and the pathetic; a great master of argument, greater than his brother, but diversifying it much less with the flowers of imagination, his fancy being confined to happy allusion or effective jest; this eminent person enjoyed, for many long years, the undivided supremacy of our bar; rose rapidly to the place of Dean of Faculty, bestowed by the elective voice of the profession; and became Lord Advocate at one step, when his political friends acceded to power, upon the overthrow of Lord North's administration and the consequent removal of Mr Dundas.

As men will never allow any one to possess two qualities of an apparently incompatible kind, and, when they must make their election, find it easier to concede the faculty that pleases them best, it was the custom to say, 'The Dean is witty, not a reasoner;'—'he can joke, but is no great orator.' He was witty, but he was a close and a logical reasoner; he could joke, no man better, but he was an orator of a very high order. Full of life and vigour; actively searching and penetrating through his whole subject; ever keeping the cause in view, and never deviating from what could best serve its interests; abounding in happy illustrations from apt cases, strong analogies, striking comparisons; a very great master of the passions, when, which but rarely happened, he had occasion to work by them, or to

play upon them—rarely, because in those days jury trial was confined to criminal cases; at all times a most subtle, close, and powerful arguer, with a force of language in which he resembled his brother, and far, very far, surpassed all his brethren of the Scottish bar—it is in vain to deny him a very high place among reasoners and among orators, merely because he had no talent for declamation, and had the good sense never once in his whole life to attempt it. But who ever heard his brother declaim, as far as energy of voice is concerned? and yet, who denies him a place amongst the greatest orators of the day, when the only doubt amongst orators is, whether or not he was the first of them all? It is true, however, that Henry Erskine, beside the want of a declaiming voice, was without the topics of which declamation is composed. So it is, if possible, yet more absurd and senseless to withhold from him his just place among reasoners and orators of a graver kind, merely because somewhat excited by his exuberant fancy, still more by the inferior taste of the audience whom he addressed, or of the provincial society in which he mixed, he, far more than was becoming, or expedient, or accorded with correct taste, indulged in jests, and particularly in a kind of merriment well enough suited to society, but impossible even to be attempted in the courts or the senate of our southern neighbours—the relating of merry tales, more or less applicable to the subject in hand. It is quite certain, that much of his wit was, like Mr Fox's, closely connected with the argument, and bore upon it, and helped it onward. It is equally certain, that although none of it had touched the arguments, this surplusage, intended for mere amusement and relaxation, did in no wise prevent the rest of his discourse from being considered, as it was, a piece of close reasoning or happy illustration. Partly spoiled by the habits of society, partly by the indifferent taste of the court in which he practised, partly, too, seduced by his excellent and social nature to gratify those whom he saw delighted to hang upon his lips, and wishing every deviation from severe taste augmented and prolonged tenfold, he certainly did lower the standard of his oratory to suit inferior natures; and, though an universal favourite, failed to attain the celebrity of a first-rate orator, even among his own admiring countrymen.

As Henry Erskine did not come into Parliament until very late in life, it would be unfair to make any comments upon his political exhibitions. He did not, certainly, there much distinguish himself, less, indeed, even than his brother. In the debates of our General Assembly of the Church he loved to bear a part; but the nature of the subjects there discussed was rarely such as to excite or to reward the exertion of great debating

powers. Nevertheless, a most acute and sagacious judge of such talents,\* and one as severe as discerning, affirmed that he never heard him speak and miss any of the points of the question; and that when he had handled any subject, though he might have said a good deal that could well have been spared, he had left nothing to any one who followed him in any view of the subject.

On the whole, it may safely be affirmed, that this eminent person wanted only a metropolitan theatre earlier in life, to rank him amongst the first orators of his time. But he wanted no such change in his position to make him a more delightful member of society, for that change was quite impossible. He was in all respects one the charms of whose social converse was unbounded. Of a demeanour that every instant showed his noble birth; in manners, of perfect ease, polish, and grace; of a temper the most sweet, and of spirits the most joyous and gay, without ever being turbulent, boisterous, or obtrusive; of conversation the most various, never refusing a serious turn, though delighting in every species of mirth, from refined comedy to broad farce—he was the life and soul of every circle with which he mixed. Affable to those below him; full of firmness and independence to his superiors; altogether without a particle of envy, or jealousy, or gall in his whole composition—no wonder that he was the darling of the age and the country in which he lived; and was most happily and most justly described by one who knew him well, as ‘the best beloved man in all Scotland.’† It is truly painful to think, that the violence of political animosity should ever have interfered to darken the career of such a man. But the French Revolution had created almost a madness of party on opposite sides of the controversy which it engendered; and as those dismal times are past, far be it from us, by any word of ours, to revive their sad recollection.

The other great lawyer whom we have named, as cotemporary with Henry Erskine, eminent as he was, offers incomparably fewer points of description, because his endowments, however remarkable, were far less various. Mr Blair, so long Solicitor-General, and afterwards, during three years, Lord President of the Court of Session, had a mind singularly framed for the successful study and practice of the law, to which he devoted all his days; and, as far as an indolent nature would permit, all his faculties. His indolence, however, was rather the *vis inertiae*

\* The late Rev. Sir Henry Moncrieff.

† The late Lord Kinnaird in the House of Commons, himself amongst the most quick and delightful, as well as honourable of men.



that often attends genius, than the ordinary listlessness or aversion to labour that marks little minds. For he had been a steady and diligent student ; had mastered all the principles of our jurisprudence in a manner little known among our professional men ; and never failed to show whatever powers of application were required by any amount of business that could devolve upon the advocate most trusted and most followed by clients. His talents were peculiarly fitted for legal pursuits. His understanding was bold and masculine ; his sagacity penetrating ; his reflection profound. With much less quickness of perception than many others—without any of the subtilty that distinguished such men as Matthew Ross—with little of that quick and piercing acuteness for which William Tait was famous—with no fancy in discerning topics, and hardly any nimbleness in meeting or escaping objections—he yet brought to bear upon each subject a plain and homely vigour, to which all ordinary difficulties yielded, and before which almost all antagonists gave way. He thoroughly comprehended every portion of his subject, and he impressed his hearers with the intimate belief, that he both understood it and could master it. Despising the vulgar arts of ordinary advocates, he unfolded it to all as he saw it himself ; and he commented upon it with such force, so plainly yet so strongly, so earnestly yet with so much gravity and sustained dignity both of thought and of expression, that it rather seemed as if a Daniel had come to judge, than an advocate to address his judges. Accordingly his sway over the bench was supreme ; and there are many now alive who may recollect, that when the court found themselves compelled to decide against him, they faltered, paused, would fain have avoided the hard necessity,—seemed distrustful of their own opinion, and all but apologised for taking so extraordinary a liberty with such a great legal authority.

Of external qualities he had none, or next to none, that were calculated to deepen or even to sustain the impression which his matter was fitted to make. His diction, though quite correct and plain, was somewhat meagre and jejune ; his ideas were constantly more and greater than he had the means of expressing ; often matter apparently good, struggled for birth, and was denied access to the mind of the hearer ; much hesitation obstructed the flow of the discourse ; and though the personal presence was fine, and the countenance expressive, the voice was guttural and harsh. When he ascended the bench, his talents for dispatching business were thought by some to have been rather overrated ; but his high and dignified demeanour commanded universal respect, whilst his judgments were marked by that great learning and ample capacity for which he had so long been famed.

We have been turned aside from our sketch of those with whom Lord Ellenborough came into political life, by the wish to render Scotland justice, and to show that she can boast of great men among the luminaries of her ancient republican bar. We now resume the thread where it was broken off, and recall to the recollection of our readers a distinguished person, who presided over the councils of this country for a longer period than any other minister, excepting Walpole and Pitt; and for a period incomparably more glorious, in all that is commonly deemed to constitute national renown.

Lord Liverpool was Prime Minister of England for fifteen years, after having filled in succession almost every political office, from under-secretary of state upwards; and passed his whole life, from the age of manhood, in the public service, save the single year that followed the death of Mr Pitt. So long and so little interrupted a course of official prosperity was never, perhaps, enjoyed by any other statesman. But this was not his only felicity. It happened to him, that the years during which the helm of the state, as it is called, was entrusted to his hands, were those of the greatest events, alike in negotiation, in war, in commerce, and in finance, which ever happened to illustrate or to checker the annals of Europe. He saw the power of France attain a pitch altogether unexampled, and embrace the whole of the continent, except Russia alone, hitherto believed safe in her distant position and enormous natural strength; but he saw her too invaded, her numerous armies overthrown, her almost inaccessible capital destroyed. Then followed the insurrection of conquered Germany—the defeat of victorious France—the war pushed to her territory—the advance of the allies to the capital—the restoration of the ancient dynasty. By a singular coincidence, having signalized his outset in political life by a supposition which he propounded as possible—a march to Paris—this was then deemed so outrageous an absurdity that it became connected with his name as a standing topic of ridicule; yet he lived to see the impossibility realized, was Prime Minister when the event happened, and did not survive the dynasty which he had mainly contributed to restore. Peace was thus brought back, but without her sister plenty; and intestine discord now took the place of foreign war. He saw the greatest distress which this country had ever suffered in all the departments of her vast and various industry; agriculture sunk down, manufactures depressed to the earth, commerce struggling for existence, an entire stop put to all schemes for lightening the load of the public debt, and a convulsion in the value of all property, in the relations of all creditors and all debtors, in the operation of all contracts between man and

man—the inevitable effects of a sudden and violent alteration of the currency, of which his colleagues, twenty years before, had interfered to change the standard. Gradually he saw trade, and agriculture, and industry, in all its branches, again revive, but public discontent not subsiding; both in Ireland, which he mainly helped to misgovern, and in England, where he opposed all political improvement, he witnessed the tremendous effects of a people becoming more enlightened than their rulers, and the last years of his life were spent in vain efforts to escape from a sight of the torrent which he could not stem. It made an interlude in this long and varied political scene, that he consented to the worst act ever done by any English monarch, the persecution of his Queen for acts of hers and for purposes of his own, connected with a course of maltreatment to which the history of conjugal misdemeanour furnishes no parallel. Yet, prodigious as is the importance, and singular as the variety of these events, which all happened during his administration,—and although party ran higher and took a far more personal turn during those fifteen years than at any other period of our political history,—no minister, nay, few men in any subordinate public station, ever passed his time with so little ill will directed towards himself, had so much forbearance shown him upon all occasions, nay, engaged uniformly so large a share of personal esteem. 'To what did he owe this rare felicity of his lot? How came it to pass that a station, in all other men's cases the most irksome, in his was easy—that the couch, so thorny to others, was to him of down? Whence the singular spectacle of the Prime Minister—the person primarily answerable for any thing which is done amiss, and in fact often made to answer for whatever turns out unluckily through no possible fault of his own, or indeed of any man—should, by common consent, have been exempted from almost all blame; and that whoever attacked most bitterly all other public functionaries, in any department, should have felt it no business of his to speak otherwise than respectfully, if not tenderly, or if not respectfully, yet with mild forbearance of him, who, having been all his life in high office, a party to every unpopular and unfortunate proceeding of the government, and never a changeling in any one of his political opinions, even in the most unpopular of all, was now for so many long years at the head of the national councils, and in the first instance, by the law of the constitution and in point of fact, answerable for whatever was done or whatever was neglected?

This question may perhaps be answered by observing, that the abilities of Lord Liverpool were far more solid than shining, and that men are apt to be jealous, perhaps envious, certainly distrustful, of great and brilliant genius in statesmen. Respectable

mediocrity offends nobody. Nay, as the great bulk of mankind feel it to be their own case, they perhaps have some satisfaction in being correctly represented by those who manage their affairs. Add to this, that the subject of these remarks was gifted with extraordinary prudence ;—displaying from his earliest years a rare discretion in all the parts of his conduct. Not only was there nothing of imagination, or extravagance, or any matter above the most ordinary comprehension in whatever he spoke (excepting only his unhappy flight about marching to Paris, and which for many years seemingly sunk him in the public estimation)—but he spoke so seldom as to show that he never did so unless the necessity of the case required it ; while his life was spent in the business of office, a thing eminently agreeable to the taste, because closely resembling the habits, of a nation composed of men of business. ‘ That’s a good young man, who is always at his desk,’ the common amount of civic panegyric to a virtuous apprentice, was in terms, no doubt, often applied to Mr Robert Jenkinson. ‘ Here comes a worthy minister whose days and nights have been ‘ passed in his office, and not in idle talking,’ might be the right transformation by which this early eulogy was adapted to his subsequent manhood and full-blown character. Nor must it be forgotten that a more inoffensive speaker has seldom appeared in Parliament. He was never known to utter a word at which any one could take exception. He was besides (a much higher praise) the most fair and candid of all debaters. No advantage to be derived from a misrepresentation, or even an omission, ever tempted him to forego the honest and the manly satisfaction of stating the fact as it was ; treating his adversary as he deserved ; and at least reciting fairly what had been urged against him, if he could not successfully answer it. In these respects, Mr Canning furnished a contrast which was eminently beneficial to Lord Liverpool, with whom he was so often, absurdly enough, compared ; for no better reason than that they were of the same standing, and began life together, and in the same service. But, in another respect, he gave less offence than his brilliant contemporary. A wit, though he amuses for the moment, unavoidably gives frequent offence to grave and serious men, who don’t think public affairs should be lightly handled, and are constantly falling into the error that, when a person is arguing the most conclusively, by showing the gross and ludicrous absurdity of his adversary’s reasoning, he is jesting and not arguing ; while the argument is in reality more close and stringent, the more he shows the opposite picture to be grossly ludicrous,—that is, the more effective the wit becomes. But though all this is perfectly true, it is equally certain that danger attends such courses with the common run of

plain men. Hence all lawyers versed in the practice of *Nisi Prius*, are well aware of the risk they run by being witty, or ingenious and fanciful before a jury; unless their object be to reduce the damages in an absurd case, by what is called laughing it out of court; and you can almost tell, at a great distance, whether the plaintiff or the defendant's counsel is speaking to the jury, by observing whether he is grave, solemn, and earnest in his demeanour, or light and facetious. Nor is it only by wit that genius offends; flowers of imagination, flights of oratory, great passages, are more admired by the critic than relished by the worthy baronets who darken the porch of Boodle's,—chiefly answering to the names of Sir Robert and Sir John; and the solid traders,—the very good men who stream along the Strand from 'Change towards St Stephen's Chapel, at five o'clock, to see the business of the country done by the Sovereign's servants. A pretty long course of observation on these component parts of Parliamentary audience, begets some doubt if noble passages (termed 'fine flourishes,') be not taken by them as something personally offensive.

Of course, we speak not of quotations—these, no doubt, and reasonably, are so considered,—especially if in the unknown tongues; though even an English quotation is not by any means safe, and certainly requires an apology. But we refer to such fine passages as Mr Canning often indulged himself, and a few of his hearers with; and which certainly seemed to be received as an insult by whole benches of men accustomed to distribute justice at Sessions—the classes of the

—*Pannosus vacuis ædilis Ulubris.*—

—him whom Johnson called (translating)

The wisest justice on the banks of Trent.

These worthies, the dignitaries of the empire, resent such flights as liberties taken with them; and always say, when others force them to praise—'Well, well—but it was out of place. We have nothing to do with King Priam here—or with a heathen god, such as Æolus;—those kind of folk are very well in Pope's Homer and Dryden's Virgil;—but, as I said to Sir Robert, who sat next me, what have you or I to do with them matters? I like a good, plain man of business, like young Mr Jenkinson—a man of the pen and the desk, like his father before him—and who never speaks when he is not wanted:—let me tell you, Mr Canning speaks too much, by half. Time is short—there are only twenty-four hours in the day, you know.'

It may further be observed, that, with the exception of the Queen's Case, there was no violent or profligate act of the Government, nor any unfortunate or unpopular measure, which

could not, with some colour of justice, be fixed upon some of Lord Liverpool's colleagues, in case of himself, if men were thus favourably disposed. Lord Castlereagh was foreign minister, and had conducted our whole negotiations abroad in person. He was, therefore, alone held accountable for all the mistakes of that department; and especially for the countenance given to the designs of the Holy Allies. So, notwithstanding his known liberality upon Irish questions, and his equally certain opposition to the cruelties by which the history of the Government during the rebellion of 1798 had been disfigured, he had committed the sin, never by Irishmen to be forgiven or forgotten,—the carrying through of the Union; and abating the greatest public nuisance of modern times, the profligate, shameless, and corrupt Irish Parliament. Hence; all the faults and all the omissions of the Ministry, in respect of Irish affairs, were laid upon his single head by every true Irishman; while Lord Liverpool, himself a party to the worst policy of past times, was, in his own person, as head of the Government for so many years, the main obstacle to the repeal of the Penal Code; and yet he escaped all censure in the perspicacious and equitable distribution of Irish justice. For obstructing all Law Reform, and delay in the administration of justice in practice, Lord Eldon offered a convenient object of attack; and on him all the hostile fire was directed,—being thus drawn off from the favourite premier. Even the blunders committed in finance, though belonging to the peculiar department of the First Lord of the Treasury, were never marked in connexion with any name but Mr Vansittart's: the boast of prosperity,—the schemes of bank discount which accompanied it, exacerbating the malady of speculations one year, and the misery of the panic the next,—were as much Lord Liverpool's as Mr Robinson's; but the latter alone was blamed, and even named in reference to these great calamities. Nay, even the violent revolution suddenly effected in the currency, and effected without the least precaution to guard against the country repaying twenty-five shillings for every twenty shillings borrowed,—was reckoned exclusively the work of Mr Peel, as if he, being out of office altogether, had been at the head of the Government; while the Whigs stepped in to claim their share of the public gratitude and applause for this great, but not very well-considered, operation.

It was curious to observe the care with which, all the while, these selections were made of parties on whom to lay the blame. No popular outcry ever assailed Lord Liverpool. While others were the objects of alternate execration and scorn, he was generally respected, never assailed. The event that befel him was that which might have mortified others; but well suited his tastes,

to be little thought of, less talked about—or if, in debate, any measure was to be exposed—any minister to be attacked—means were ever found, nay, pains were taken, to ‘assure the House ‘that nothing was meant against the respected nobleman at ‘the head of His Majesty’s Government, for whom we all entertain feelings of *et cetera*, and of *et cetera*, and of *et cetera*.’

Such was the happy lot of Lord Liverpool; such are the comforts which a respectable mediocrity of talents, with its almost constant companion, an extreme measure of discretion in the use of them, confers upon its possessor in lieu of brilliant reputation, with its attendant detraction and hate. While the conqueror mounts his triumphal car, and hears the air rent with the shouts of his name, he hears, too, the malignant whisper appointed to remind him, that the trumpet of fame blunts not the tooth of calumny; nay, he descends from his eminence when the splendid day is over, to be made the victim of never-ending envy, and of slander which is immortal, as the price of that day’s delicious enjoyment; and all the time safety and peace is the lot of the humbler companion, who shared his labours without partaking of his renown, and who, if he has enjoyed little, has paid and suffered less.

Accordingly, it is fit that one thing should be added to what has been recorded of the general forbearance exercised towards this fortunate minister: it was nearly akin to neglect or indifference, though certainly not at all savouring of contempt. There was nothing striking or shining in his qualities, which were the solid, useful, well-wearing ones of business-like habits and information. While great measures were executed, no one thought of Lord Liverpool. When men came to reflect, they found he was still Prime Minister; but he retired so much from public view that he was seldom thought of. Thus, if he had no blame when faults were committed, or things wanting; so he had no praise for what was well done, or gratitude for many signal successes. He was, in truth, hardly ever considered in the matter.

He was a plain, every-day kind of speaker, who never rose above the range either of his audience or his topic; and chose his topic so as to require no strength of persuasion beyond what he possessed. He was clear and distinct enough, without even, in that first essential of business speaking, being distinguished for his excellence above almost any one who is accustomed to state a case or take part in a debate. His diction was on a level with his matter; it had nothing rare, or adorned, or happy; but though plain enough, it was not pure, or more pure than the sources from which he derived it—the Parliamentary debates, the official despatches, and the newspapers of the day. If, adopt-

ing the middle style, or even the *humile genus dicendi*, he had maintained in his language the standard purity, he would have passed, and justly, for a considerable artist in that kind ;—as Swift is always praised for being a model of one style of writing. But it would be very wide, indeed, of the truth to say that the three-fold nature of Mr Jenkinson, Lord Hawkesbury, and Lord Liverpool, ever presented a model of any thing,—except perhaps safe mediocrity : of a pure or correct style, he assuredly was no sample. He ‘met the question’—when ‘on his legs’ he would take upon himself ‘to assert, as he had caught the Speaker’s eye,’ that no ‘influential person’ of ‘his Majesty’s actual government,’ had ever ‘advocated liberalism,’ less than ‘the humble individual ‘who now addressed them,’ and whose duty it was ‘to justify the ‘proposed bill.’ In short, he showed plainly enough that a man might avoid lofty flights, and stick to his native earth, without habitually walking in clean places ; and that he who is not bold enough to face the perils of the deep, may hug the shore too near, and make shipwreck upon its inequalities.

In council, he was safe if not fertile of expedient. He seldom roused his courage up to bold measures ; and was one of the narrow minds whom Lord Wellesley quitted, when he found them resolved neither to make peace nor to wage war with any reasonable chance of success ; and whom the prodigious attainments of his illustrious brother, contrary to all probability, and beyond every rational hope, united, with the madness of Napoleon and the severity of a northern winter, to rescue from the position which their puny councils had so well earned, and so richly deserved. He had not the spirit or the political courage required for great emergencies ; yet could he be driven, by the fear of losing office, to patronise the most disgraceful attempt ever made in this country by Royal caprice ; and thus encountered the imminent peril of civil war. This is, indeed, the darkest spot in his history ; and another is connected with it : he lost his head entirely when the people had defeated a body of the troops at the Queen’s funeral ; and is understood to have given orders for resorting to extremities—orders to which the cooler courage of the military commanders happily postponed their obedience.

The candour which he ever displayed in debate has been already marked. It was a part of the natural honesty of his character, which power had not corrupted, and no eagerness of Parliamentary warfare could interrupt. His general worth as a man was always acknowledged ; and this added very justly to the prevailing good opinion which he enjoyed among his countrymen, almost without distinction of party. It may be gathered



from our former observations that we regard this good opinion to have been somewhat overdone; and that justice did not at all sanction the distribution of praise and of blame which the country made between him and his colleagues.

As it is difficult to find a more correct representation of the Addington ministry than the noble person of whom we have just been speaking; so the popularity of that government was like his, very much owing to the moderation of both its talents and its principles. After the somewhat violent and overbearing, as well as warlike and arbitrary administration of Mr Pitt, they who both made peace with France, composed the internal dissensions of the country, and restored its free constitution, presented at the same time to its confidence only second-rate genius in every department save two;—a genius diluted and lowered to the moderate standard which suits the public taste. These two exceptions were the Law and the Navy. Of Lord Eldon we have already spoken; the present sketches would be imperfect if Lord St Vincent were passed over in silence; for he was almost as distinguished among the statesmen as the warriors of his age.

This great captain, indeed, presented a union as rare as it was admirable, of the brightest qualities which can adorn both civil and military life. He early distinguished himself in the naval profession; and was associated with Wolfe in those operations against Quebec, which crowned our arms with imperishable glory, and loaded our policy with a burden not yet shaken off; though, as Lord St Vincent early foresaw, becoming every day more difficult to bear. An action which he soon after fought with the *Foudroyant* line-of-battle ship, was the most extraordinary display of both valour and skill witnessed in that war, so fertile in great exploits; and it raised at once his renown to the highest pitch. The peace then came; and it was succeeded by a war, the only one, in which the fleets of England reaped no laurels; until just before its close the bravery and seamanship of Rodney retrieved our naval honour. For near twenty years Sir John Jervis was thus unemployed; and in part this neglect must certainly be ascribed to the side in politics which he took,—being a Whig of Lord Shelburne's school,—highly prized and unreservedly trusted by that able, sagacious, and consistent statesman; than whom none ever entered into the combats of public life with an ampler provision of combined capacity and information, and none ever sustained the useful part which he acted, with more unsullied honour. This tribute to truth and justice is due from Whigs to one whom it suited the policy of 1783 to run down by every species of slander,—partly in the prose of pamphlets, partly in the verse of pasquinades, partly in the mixed fiction and

prose of speeches,—merely because, not belonging to the party, he was audacious enough to act for himself, instead of making himself a tool of those who boasted that they never had confided in him, at the moment they were complaining of his deserting their councils.

While Sir John Jervis remained during this long and eventful period on shore, and unemployed in any branch of the public service, he accomplished himself by constant reading, by much reflection, by the intercourse in which he ever delighted with men of learning and talents, as a statesman of profound views, and of penetration hardly equalled by any other man of his time. His natural acuteness no obstacle could impede; his shrewdness was never to be lulled asleep; his sagacity no man ever found at fault; while his provident anticipations of future events seemed often beyond the reach of human penetration. We shall give a remarkable example of this in a matter of deep interest at the present moment. When Lord Shelburne's peace, (1783,) was signed, and before the terms were made public, he sent for the Admiral, and showing them, asked his opinion. 'I like them very well,' said he, 'but there is a great omission.' 'In what?' 'In leaving Canada as a British province.' 'How could we possibly give it up?' inquired Lord Shelburne. 'How can you hope to keep it?' replied the veteran warrior. 'With an English republic just established in the sight of Canada, and with a population of a handful of English settled among a body of hereditary Frenchmen.—It is impossible; and rely on it you only retain a running sore, the source of endless disquiet and expense.' 'Would the country bear it? Have you forgotten Wolfe and Quebec?' asked his Lordship. 'Forgotten Wolfe and Quebec? No; it is because I remember both. I served with Wolfe at Quebec; having lived so long, I have had full time for reflection on this matter; and my clear opinion is, that if this fair occasion for giving up Canada is neglected, nothing but difficulty, in either keeping or resigning it, will ever after be known.' We give the substance of this remarkable conversation as we have it from more sources of information than one; and the recollection of the parties is confirmed by the tone of the Earl's letters in 1813, which we have seen. There was then no question of a surrender; but he plainly shows the greatest distrust of our being suffered to retain the colony.

When the war broke out in 1793, Admiral Jervis was soon employed on the Mediterranean and Lisbon stations. What wonders he effected with an inadequate force is well known to the profession. All the world is aware of his glorious victory over the Spanish fleet in February 1797, when he defeated an enemy

of nearly three times his force. Nor is there any one who has not heard of the steady determination of purpose, so characteristic of the man, by which his fleet was made ready to sail from the Tagus in as many hours as all but himself said days would be required for the preparation; after overland advices had arrived at Lisbon of the enemy having put to sea. But the consummate vigour and wisdom of his proceedings during the dreadful period of the Mutiny are no less a theme of wonder and of praise. It was the practice to dispatch mutinous vessels to serve under his orders, and he soon, by his masterly operations of combined mercy and justice, reduced them to order, restoring discipline by such examples as should be most striking, without being more numerous than absolute necessity required. The humane ingenuity of his contrivance, to make one execution produce the effect of many, by ordering it on an unusual day (Sunday morning) is well known. His prompt measures of needful, and no more than the needful severity, were as effectual to quell a formidable mutiny which broke out in the fleet, that had just returned from foreign service, and was suddenly ordered to the West Indies to watch the French expedition there. The revolt was at once subdued; the fleet set sail; and there never again was heard the whisper of discontent respecting the painful disappointment to which the men were thus subjected.

When the Addington ministry was formed, he was placed at the head of the Admiralty; and now shone forth in all its lustre that great capacity for affairs with which he was endued by nature; and which ample experience of men, habits of command, and an extended life of deep reflexion had matured. He laid the foundation of a system of economical administration which has since been extended from the navy to all the departments of the state. But it was bottomed on a searching scrutiny into the abuses of the existing system. The celebrated 'Commission of Naval Inquiry' was his own work, and it both led to numberless discoveries of abuse and extravagance, and gave the example to all the similar inquiries which soon after followed. It did more: it introduced the whole subject of Economical Reform, and made it become, both in and out of Parliament, the principal object for many years of all our patriotic statesmen;—an object which alone they carried through in spite of those ministerial majorities, omnipotent upon every other controversy among the parties in Parliament. It is impossible to calculate what would have been the saving effected to the revenues of this country had Lord St Vincent presided over any great department of national affairs from the beginning of the war, instead of coming to our assistance after its close. But in proportion to his services in this line

of reformation, was the clamour which his operations excited against him. His unsparing rigour, his inflexible justice, his fixed determination to expose delinquents how high soever—to dispense with useless services, how many hands soever might be flung out of the superfluous and costly employment,—raised against this great and honest statesman a host of enemies, numerous in exact proportion to the magnitude of the objects he had in view, and exasperated in proportion to the unjust gains of which he was depriving them: in other words, the hostility to which he was exposed was in an exact proportion to his merits. Nor did the gratitude of the country, whom his courage and disinterestedness was thus serving so essentially, at all keep pace with the great benefits which he bestowed. The spirit of party interposed with its baleful influence; and when the Pitt and the Fox parties combined to forget their animosities, for the purpose of unseating Mr Addington, the ground chosen by the new allies upon which to celebrate their union, and to commence their joint operations, was an attack upon the naval administration of the only great man whom the ministers could boast of having among their number;—the illustrious warrior who, after defeating the enemies of his country by his arms, had waged a yet more successful war against her internal foes by his vigour as a reformer, his irreconcilable enmity to all abuses, and his resistless energy in putting them down.

It is hardly necessary to add, that of eloquence, or debating power, Lord St Vincent had nothing whatever; nor to such accomplishments did he lay any claim. Indeed, he held the arts of rhetoric in supreme contempt; always contenting himself with delivering his own opinion when required, in the plainest language—and often expressing what he felt in sufficiently unceremonious terms. Not that he had any thing at all of the roughness often found in the members of the naval profession. On the contrary, his manners were those of a highly polished gentleman; and no man had more of the finished courtier in all his outward appearance and demeanour. His extreme courtesy, his admirable address in managing men, the delicacy with which he could convey his pleasure to inferiors, or his dissent to equals, or his remonstrance to superiors, being the external covering of as firm a determination as ever guided a human being, were truly remarkable; and gained for him with persons of superficial observation, or imperfectly acquainted with his character, the reputation of being cunning and insincere; when, in truth, it only arose from a good-natured desire of giving as little needless uneasiness as possible, and raising as few difficulties as he could upon matters foreign to his main

purpose. When he went to the Tagus at the head of the expedition and the commission in 1806, the object being, in case Portugal proved indefensible against the threatened French invasion, to make the royal family and principal nobility transfer the seat of government to the Brazils, the proceedings of this chief, in his twofold capacity of captain and statesman, were justly remarked for the great talents and address which they exhibited. He began by cutting off all communication between his fleet and the land; this he effected by proclaiming an eight days' quarantine. His colleagues in the Commission having joined him, he still prevented his officers and men from landing; but threw open all his ships to the natives of the place, whose multitudes never ceased pouring through those gallant vessels, lost in admiration of their beauty, their resistless force, and the discipline of the crews. With the court his intercourse now began; and the terror of his name, even without his armament, would there have made him supreme. The reluctance to remove was, of course, universal and deep-rooted; nor could any arrangement the expected conqueror might offer prove less palatable, than expatriation and banishment for life across the Atlantic to pampered voluptuaries; the extent of whose excursions had hitherto been the distance between the town and country palaces. But he had arranged every thing for their voyage and he was quite ready to compel their embarkation. His plan would have exposed his own person to some danger; but would have required no application of military force, if nothing was attempted against the fleet. It seemed to have been borrowed from the celebrated seizure by Cortez, of the Emperor Montezuma's person, in his capital of Mexico; and the very few to whom he communicated it, while struck with the boldness of the design, saw that it was as happy as it was bold, and had no doubt whatever of its perfect success.

Although we have noticed his contempt for the artifices of oratory, it is remarkable that some of his most intimate friends were those who chiefly owed their renown to its practice. Among these was Lord Erskine; and he enjoyed the friendship of Mr Fox and Lord Grey. But he made a great difference between the eloquence of the senate and the bar—a difference not perhaps marked by his accustomed sagacity and liberal views, yet sufficiently easy to account for. Parliamentary speaking he regarded as mere 'talk.' He saw the noblest exertions of the orator, and also the speeches of longest duration (a circumstance much fitted to rouse his impatience) end, as he phrased it, in wind. The decision came, which he reckoned the result of the battle, and he could trace no connexion between that and the preceding debate. Hence, he deemed the whole 'nonsense,' a 'farce,' a

‘ child’s play ;’ without reflecting that in the long run discussion produces, directly or indirectly, its effect ; as he probably would have done had he viewed the scene from what he would call ‘ a safe distance ;’—that is, so far off as not to have his early hours interfered with, and his patience assailed by length of speech. The trial of causes he viewed with other eyes. That he considered as business—as acting and not talking ; and, having the highest admiration for the skill of an advocate, there was no society in which he delighted so much as in that of the bar. To hear his acute and even profound remarks upon the conduct of a cause,—and the play of adverse counsel, every point of which, to the most minute and technical, he clearly comprehended and highly relished,—was one of the things that impressed the listener with the greatest opinion of his extraordinary capacity. He viewed it as a fine operation of attack and defence ; and he often said that there was nothing which he ever more regretted than not having been able to attend the proceedings in the Queen’s case.

In recounting the triumphs of his military genius, we have not adverted to the extraordinary promptitude, and powers of combination which he displayed, when he equipped the finest expedition that ever was detached from a fleet, and sent it under Nelson up the Mediterranean. That illustrious hero always acknowledged, with the most affectionate gratitude, how much his victory of the Nile was owing to this grand operation of his chief, for whom he felt and ever testified the most profound veneration. Nor was any thing ever more disgustful to his truly noble and generous nature, than the attempts of that tribe, the worst kind of enemies, (*peccatum mimicorum genus, laudatores*),—the mean parasites who would pay their court to himself by overrating his services at St Vincent in 1797, and ascribing to him the glory of that memorable day. Their affection became thus grounded upon thorough knowledge of each other’s merits, and the admiration which these commanded was mutual ; nor did the survivor once omit an opportunity of testifying the love he bore his illustrious friend, and his grief for the blow which took him from his country. On board his flag-ship, on all those great occasions when he entertained his numerous followers, Nelson’s *Dirge* was solemnly performed while they yet surrounded the table ; and it was not difficult to perceive that the great warrior’s usual contempt for displays of feeling here forsook him, and yielded to the impulse of nature and of friendship.

So little effect on exalted spirits have the grovelling arts of little souls ! He knew all the while, how attempts had been made by Lord Nelson’s flatterers to set him up as the true hero of the

fourteenth of February; but never for an instant did the feelings towards Nelson cross his mind, by which inferior natures would have been swayed. In spite of all these invidious arts, he magnanimously sent him to Aboukir; and, by unparalled exertions which Jervis alone could make, armed him with the means of eclipsing his own fame. The mind of the historian, weary with recounting the deeds of human baseness, and mortified with contemplating the frailty of illustrious men, gathers a soothing refreshment from such scenes as these; where kindred genius, exciting only mutual admiration and honest rivalry, gives birth to no feeling of jealousy or envy, and the character which stamps real greatness is found in the genuine value of the mass, as well as in the outward splendour of the die; the highest talents sustained by the purest virtue; the capacity of the statesman, and the valour of the hero, outshone by the magnanimous heart, which beats only to the measures of generosity and of justice.

Nor let it be deemed any abatement of this praise if the undeniable truth be stated, that no two men in the same professional career, and both of consummate excellence, ever offered more points of marked diversity in all the particulars which distinguish character and signalize the kinds of human genius. Alike in courage, except that the valour of the one was more buoyant, more constitutional—of the other, more the steady result of reflection, and the produce of many great qualities combined, than the mere mode of temperament;—alike without any difference whatever in that far higher quality, moral courage, and political, which is the highest pitch of it; alike in perfect nautical skill, the result of talents matured by ample experience, and of the sound judgment which never disdains the most trifling details, but holds nothing trivial connected with an important subject;—yet, even in their professional abilities, these great captains differed: for the more stern mind of the one made him a severe disciplinarian, while the amiable nature of the other seduced him into an habitual relaxation of rules whose rigorous enforcement wounded, or at least galled his kindlier feelings. Not that either Jervis stooped to the fopperies by which some little minds render the service entrusted to their hands as ridiculous as themselves; or that Nelson failed to exact strict compliance with rules, wherever their infraction would be manifestly hurtful; but the habits of the two men upon ordinary occasions were opposite, and might be plainly seen by an inspection of the ships that bore their flags. So, too, Nelson was less equal to the far-seeing preparation, and unshaken steadfastness of purpose required to sustain a long-continued operation; and would, therefore, ill have borne the monotony of a blockade, such as

that which kept Collingwood for years on shipboard, or that which Jervis maintained off Brest with the Channel fleet. It is also undeniable, that, although nothing could exceed the beauty and perfect fitness of his dispositions for action when the whole operations were reduced to their ultimate point, yet he could not, like Jervis, have formed the plan of a naval campaign ; or combined all the operations over a large range of coast and sea, making each part support the other, while all conduced to the main purpose. Thus, too, it may be doubted if St Vincent would have displayed that sudden, almost intuitive promptitude of decision, the result more of an ardent soul than a penetrating sagacity, which led Nelson to his marvellous course from the old world to the new in 1805 ; when he in an instant discovered that the French fleet had sailed to the West Indies, and having crossed the Atlantic in chase of them, again discovered that they had returned ; and appeared in Europe almost as soon as the enemy arrived, whom the mere terror of his tremendous name had driven before him from hemisphere to hemisphere. That the movements of his illustrious master would have been as rapid, and his decision as prompt, had the conjecture impressed itself on his mind with the same force, none can doubt ; and it may be further admitted, that such a peremptory will as the latter showed, such a fixed resolution to be obeyed,—such an obdurate, inflexible, unteachable ignorance of the word “impossible,” when any preparation was to be made,—formed no part of Nelson’s character ; although he showed his master’s profound and crass ignorance of that word—the mother tongue of little souls—when any mighty feat was to be done, such as souls like these cannot rise to comprehend. He who fought the great fight with the *Foudroyant*, would have engaged his Spanish first-fates, had his flag off St Vincent’s floated like Nelson’s over a seventy-four ; but Nelson could not have put to sea in time for intercepting the Spanish fleet ; any more than he could have cured or quelled the mutinous contagion which infected and distracted Jervis’s crews on the eve of the action.

If, even in a military view, these great warriors thus differed, in all other respects they are rather to be contrasted than compared. While it was hard to tell whether Jervis excelled most in or out of his profession, Nelson was nothing on shore—nay, had weaknesses, which made the sea air as necessary, if not to his mental condition, at least to his renown, as it is to the bodily health of some invalids. The great mind of the one was the natural ally of pride ; the simpler nature of the other became an easy prey to vanity. The latter felt so acutely the delight of being loved and admired by all—for to all he was kind himself,—



that he could not either indulge in it with moderation, or conceal it from others. Severely great, retiring within himself, occupied with his own reflections, the former disregarded the opinion of those whom he felt destined to command; and only descended to gain men's favour that he might avail himself of their co-operation, which he swiftly converted into service. While Nelson thought aloud, Jervis's words were little apt to betray the feelings that ruled, or the meditations that occupied his mind. The one was great only in action; the other combined in a rare, perhaps an unexampled manner, all the noble qualities which make counsel vigorous and comprehensive, with those which render execution prompt and sure. In the different temper of the men's minds, you could easily tell that the one would be generally popular, from the devotion which the multitude always pay to brilliant valour, and the affection which a gentle, kind, and innocent nature is calculated to win; while the other, with courage as undaunted, though eclipsed by greater and rarer qualities, stood too far removed from the weaknesses of ordinary men to appear in such an amiable light; and by the extent of his capacity and his habits of command, secured the respectful submission of others more than he won their love. Yet, while of Nelson it was justly said that no serious breach of discipline was ever overlooked by him; of Jervis it was as truly observed, that all good officers—all men employed under him, whether in the civil or military service—spoke of him as they felt, with admiration of his genius, approaching to enthusiasm; although the followers of his illustrious friend adored their idol with yet more fervent devotion. In his political opinions, this great commander was liberal and free, ever preferring the humane and enlightened side; and though loyally attached to the constitution of his country, yet careless what offence he might give to existing rulers by the unrestrained openness of his sentiments upon public affairs. Accordingly, he was even less a favourite with George III. and his court, than his great master, whose party was always opposed to that narrow-minded and bigoted prince.

It is truly painful to fling in that shade, without which this comparative sketch would lose all likeness to its original. The conduct of Lord St Vincent was always high and decorous; and although he had a singular aversion to cant of any kind, nor to any more than that of an overdone and pharisaical morality, he never lowered, in his own person, the standard of private any more than of public virtue; wisely holding all conspicuous men as trustees for the character of the people, and in some sort representatives of the people's virtues. Lord Nelson, in an unhappy moment, suffered himself to fall into the snares laid for his honour

by regal craft, and baited with fascinating female charms. But for this, he might have defied all the malice of his enemies, whether at sea or on shore, in the navy or at the court; because nothing is more true than that great merit is safe from all enemies save one—safe and secure, so its possessor will only not join its foes. Unhappily, he formed this inauspicious junction, and the alliance was fatal to his fame. Seduced by the profligate arts of one woman, and the perilous fascinations of another, he lent himself to a proceeding disfigured by the blackest colours of treachery and of murder. A temporary aberration of mind can explain though not excuse this dismal period of his history. The sacred interests of truth and of virtue forbid us to leave the veil over these afflicting scenes undrawn. But, having once lifted it up, on seeing that it lays bare the failings of Nelson, we may be suffered to let it drop over a picture far too sad to dwell upon, even for a moment!

ART. II.—*Essai sur la Statistique de la Population Française, considérée sous quelques uns de ses Rapports Physiques et Moraux.*  
Par le COMTE A. D'ANGEVILLE, Ancien Officier de Marine,  
Membre de la Chambre des Députés. 4to. Bourg: 1836.

STATISTICAL research has been termed, with much justice, the favourite study of the present age. It is, in a manner, the latest birth of the inductive or Baconian system of philosophy: its object is the collection of facts, from which the political philosopher may draw inferences, to be applied to the solution of problems in social science;—problems which until of late were handled only with bold conjecture, or with *a priori* reasonings more or less ingenious. It no longer comprehends within its scope those subjects only from which its name is derived;—the condition of states in respect of population, revenue, commerce, and such other circumstances of their political condition. It has been for some time attempted, to exhibit, in the same form of numerical results, different phenomena of the physical and moral state of men in society. And endeavours are now made, with more and more approximation to truth, to use the various serieses of facts thus obtained, by the method of comparison with each other, in the investigation of the causes which have produced these several effects. If statistics be rightly termed a science at all—if it imply any thing more than the mere arrangement of insulated facts, which, of course, does not deserve the

name—it is the science (or, still more strictly, the art) of applying those practical rules, which must be followed, in order to insure a right direction of such attempts. As these rules are daily better understood, it is difficult to say what serieses of cause and effect—what classes of social phenomena—may not be eventually brought within its range.

Nevertheless, it is true that a great distrust is felt by most observers, of the value of those Tabular results in which statistical information is generally conveyed. So far as regards particular tables, this want of confidence in the conclusions drawn from them is generally well founded enough. Very few statistical writers have the patience requisite to examine sufficiently the accuracy of those numerical statements which form the bases of their reasonings. Still fewer have shown the necessary caution and sagacity—we might almost add the necessary modesty—by allowing sufficiently for their own ignorance, and for the great imperfection of the best data which we possess ; when they have endeavoured to apply their acquired knowledge to the discovery of principles. The zeal with which they analyze the complicated appearances which society presents, and their eagerness to seize on the first analogies which present themselves on the surface, often remind us of the enthusiasm with which the surgeons of early times, when anatomical science was in its infancy, sought for the principles of thought and life in the dead body which they had scarcely skill enough to dissect. But the distrust to which we have alluded, is a distrust of the method itself, and not merely of the success with which it has hitherto been pursued. In point of fact, habituated as we are to consider the movements and actions of human beings as the result of their own free agency—regarding every individual as a microcosm, a creature of impulses and habits, partly, indeed, determined by circumstances, but still mainly his own, and from whose conduct, under given conditions, it appears almost impossible to conclude with any high degree of moral probability as to the conduct of another—many are apt to regard as a mere chimera, the notion of arriving by numerical calculations, at results sufficiently regular to afford data for reasoning on the conduct of thousands and of millions. And yet the more we examine the subject, the more certainly do we discover that the same rule prevails in moral as in physical phenomena—that we can fix the probability of a particular event, in one case, from investigating a number of similar past events. To take an example familiar to every understanding. If we had no materials for comparing the value of different lives—in other words, if the statistics of life were unknown to us—it would be obviously impossible to form any calculation whatever of the probable

length of an individual life. But by examining the particulars of a great many cases, we arrive at conclusions sufficiently accurate to influence our conduct, and are enabled to subject what is roughly called accident, or destiny, to general rules of calculation. The life of one man is liable to a thousand contingencies which mock our powers of divination. Compare a thousand more lives similarly circumstanced, and the influence of contingencies seems to disappear before that of general laws. The case is precisely the same with those effects of which the proximate cause is the free will of man. Nothing at first sight seems more arbitrary or uncertain than the course which any one man will pursue, where circumstances, so far as they are known to us, do not seem to act with any compulsory force on his judgment. Take ten—one hundred—or one thousand men, whose choice is made under similar circumstances; and the greater the number of individuals compared, the more does the slightest pressure of external influence—the mere balance of motives—seem to amount to an irresistible force, effacing all varieties of human choice or caprice. The results of an individual will seem to disappear, it has been well said, before the mean results of innumerable wills: in other words, under the weight of the vast machinery of moral causes; and differences of temper and disposition sink into mere modifications of general laws, subject to calculation equally with those laws themselves.

And thus, a first acquaintance with the very striking deductions which are actually obtained by the mere numerical display of facts, relating to the moral condition of society, is apt to change this common distrust of statistical investigation into over-confidence. There is no study in which the eager enquirer is more ready to over-estimate, we will not say the value of the method he pursues, but the actual proficiency which he has made in it. ‘It would seem,’ says M. d’Angeville—observing on the extraordinary fact, that not only the number of murders committed, but the proportion between the different means which are employed for the commission of murder, scarcely varies to any important degree, from year to year, in so extensive a country as France—‘as if the free will of man existed only in theory, and ‘as if every society contained within its bosom germs of evil ‘which must infallibly develope themselves.’—‘The harvest of the fruits of the earth is more subject to variations than the harvest of crime!’

It is plain, then, that by statistical calculations we obtain a much greater uniformity of conclusions, in our enquiries respecting the moral condition of a country, than those who have not studied the subject are apt to imagine. To take, for example,

the instance of crime already alluded to, as one of the most popular and easy instances of the employment of this mode of enquiry: the number of crimes committed in extensive districts, the proportion of criminals of different ages, the proportion of crimes with and without violence, and so forth, are found to vary so little from year to year, still less in periods of years,—allowance made for the movement of population,—as to prove that some very extensive and general causes produce these phenomena. The next and most important question is, what assistance will statistical enquiry afford the political philosopher in the search after these causes?

In order to answer this question, it may be worth while to examine the principles laid down by M. Quételet—the most philosophical of writers on statistics—as to the degrees of difficulty which attend the application of this method to different subjects. We have taken the liberty of somewhat abridging a passage from one of his Works.\* ‘In recapitulating what has been said as to the possibility of measuring those qualities of men which are appreciable by their effects, it appears to me that numbers may be employed without absurdity in the following cases:—

‘1. When the efforts can be estimated by means of a direct measure which can show their degree of energy; as those produced by the application of strength, swiftness, or activity to employments of the same description;—perhaps, also, the application of the faculty of memory to similar objects.†

‘2. When the qualities are of such a nature that the effects are always nearly similar, and the degree of the quality only depends on the frequency of the effects: such as, the fecundity of females, drunkenness, &c. If two men, placed in similar circumstances, get regularly drunk, the one twice a-week and the other once, their relative propensity to drunkenness is as two to one.

‘3. Lastly, numbers may still be employed, in cases where the causes are such that both the frequency and the intensity of the effects must be taken into consideration: although the difficulties then become very great, and even insoluble in several cases, from the small amount of data which we possess at present.’

\* *Essai de Physique Sociale.* Tom. ii. p. 104.

† *E. g.*—The comparative muscular strength of individuals may be expressed by numbers, when it is measured by raising weights, throwing, &c., or by the more accurate and general test of the *dynamometer*.

For example, in determining the comparative moral condition of two districts or places, it is necessary to possess an account not only of the relative number of legal offences, but of the character of those offences—the comparative efficacy of the administration of justice, since, where law is ill administered, few offences are prosecuted—the comparative strictness of police—the comparative number of second or reiterated offences, since it is necessary to ascertain what proportion of the population is conversant with guilt—and many other circumstances which will suggest themselves to the reader versed in this species of enquiry. When all these are ascertained, the comparative amount of morality (as far as regards the commission of offences against penal laws) is determined; and then, and not until then, the enquirer is prepared with data on which he may proceed farther in searching after the primary causes which may have influenced that amount in different countries,—difference of race, religion, government, education, and so forth.

For our own parts, therefore, instead of regarding with distrust, or treating with ridicule, information on such subjects conveyed in the form of numerical statements, as a fallacious source of reasoning, we confess that we are better pleased with the aspect of a work full of tables, and perplexed with intricate arithmetic on the moral or physical state of a people, than with the profoundest *a priori* speculations—provided only that we have tolerably good confidence in the accuracy of the numbers themselves. The more these calculations are multiplied—the more attempts are made to bring minute and what are commonly termed accidental peculiarities of society within the scope of numerical estimates—the more materials are accumulated for the use of social philosophy. Results, seemingly the most insignificant, and collected, perhaps, with no view to immediate use, may prove of service, at some future time, in illustrating principles and in correcting partial deductions drawn from other serieses of facts. Such is the value of the very laborious and unpretending work which is now before us. The author does not profess to investigate (except incidentally) the causes of the various social phenomena which his country presents; but he has endeavoured to estimate the physical and moral circumstances of its population, by a comparison between the state of the several departments, drawn chiefly from official sources. In this synopsis he has included various particulars which have not usually been made the subjects of statistical comparison. As he has explained at full length the data on which each comparison proceeds, the reader is enabled to judge for himself the value to be attributed to it; and if here and there these data appear to him insufficient,

it will thus be his own fault if he builds on them a greater amount of conjecture than they will fairly support.

The tables contained in this work, and the maps which accompany it, are constructed on the principle adopted by M. Charles Dupin, of indicating different degrees (as of density of population, crime, pauperism, and so forth) by tints of different depth. A portion of them presents a comparative view of the movement of population in France; for which the details lately published by the Ministry of the Interior afford ample materials. Another portion relates to the physical condition of the people, as evinced by the stature and the constitution of the recruits in each department;—a curious subject, for which the means of investigation are afforded by the French law of conscription. According to the present regulation, the minimum height of a soldier is fixed at 1 mètre 56 centimètres—something less than 5 feet 2 inches English; consequently, the proportion of recruits refused by the examiners, by reason of deficient stature, to those admitted—together with a computation of the average stature of the young men drawn in each department for the conscription—afford pretty satisfactory data for estimating the condition of the inhabitants of each district in this important respect. It appears from this investigation, that, short as the stature of the French race generally is, it is most remarkably so in all the western and central departments, and the greater part of the south; in which from 300 to 800 exemptions are annually pronounced for 1000 recruits obtained;—in other words, from a sixth to two-fifths of the young men of twenty do not exceed the height of 5 feet 2 inches—a population scarcely to be matched, out of Lapland, for diminutiveness: on the other hand, the men of the northern and north-eastern departments appear to reach the full average of the European stature. In the next table, that which contains the result of the examination of recruits as to their physical constitution, M. d'Angeville has arrived, to his own satisfaction, at the singular conclusion, that the shortest races are almost invariably the most robust, or, at least, subject to the fewest defects of constitution. This he grounds on the fact, that the exemptions for defective constitutions are most numerous where those for defective stature are fewest. But we suspect he has fallen into a very obvious mistake. He admits, what, indeed, no one can well doubt, that out of a given number of individuals taken by chance, those above the medium height are also in general more robust than those below it. Now, it is plain enough that the regimental examiners apply first the test which gives least trouble;—namely, that of stature; so that, wherever the greatest number of undersized recruits are rejected, a smaller proportion

of defective constitutions necessarily remains among those who are subjected to the second examination. When fair allowance is made for this circumstance, it is probable that M. d'Angeville's paradox will prove unfounded. Researches, more or less conjectural, into the standard of subsistence in the different departments, and the condition of the dwellings of their inhabitants (as indicated by the number of doors and windows), complete the physical part of these enquiries. As to the last particular, there is an odd analogy between the amount of daylight enjoyed by the people, and their amount of intellectual illumination—the best-lodged departments are also the best instructed.

The remaining tables refer to the Moral Statistics of the country; and exhibit its condition in respect of the number of legal crimes committed in each department—the number of illegitimate births and of foundlings—pauperism—the amount of primary instruction—the habits of the people in respect of submission to the laws, and their military propensities, as evinced by the comparative expense of collecting the direct taxes in each department, and the number of refractory conscripts. Their *religious zeal* is tested by the proportion borne in each department, between the amount of subscriptions, during eight years, to the propagation of the Catholic faith, and the amount of direct taxes;—a test which seems to us worth little or nothing; because the poor man undoubtedly is curtailed of a larger proportion of his available income by direct taxation than the rich; and has therefore a less surplus left to satisfy his religious sentiment. The wealthier departments, therefore, gain unfairly when zeal is thus measured by liberality. *Electoral zeal* is indicated by the proportion of electors in each department who have exercised their rights during a certain number of years; and *litigiousness* (*esprit de chicane*) by the annual amount of suits before the courts *de première instance* in proportion to the population. This very imperfect summary will give an idea of the number of curious details which the book before us contains. Without regarding most, or perhaps any, of these calculations as conclusive with regard to the order of moral facts which they represent; it is impossible not to feel their great value in affording a firm footing, if only for a few steps, towards a more complete investigation. And, whoever may happen to consult the work itself, will scarcely be more struck with the industry than with the candour of the author,—his freedom from all pretension, and his caution not to pass his researches on the reader for more than they are actually worth.

This virtue of moderation M. d'Angeville has particularly shown in that part of his work in which he endeavours to trace



the analogy between these several phenomena of moral life ; or the reciprocal influence which they appear to exert on each other. And, undoubtedly, after a careful examination, we are led to acknowledge, with him, that few general and satisfactory conclusions can, in this way, be arrived at *from our present stores of knowledge*. Neither the influence of education on the amount of crime, nor of industry on pauperism, nor of religion on morality, nor, in short, any of the modes in which one social phenomenon acts on another, will be found developed by a comparison of these tables in such a manner as to satisfy the theorist, or give safe data to the political philosopher. Those who expect any more positive results from investigations of this description, show that they have not fully learned to appreciate the intricate complexity of the causes which act and re-act on society.

M. Guerry, some time ago, scandalized the friends of education by asserting, that the number of persons annually charged with offences against the laws in France, varied in the several departments, in nearly the same proportion with the number of persons who had received the elements of instruction. Various ardent optimists have endeavoured to combat this formidable statement ; but all subsequent enquiries have shown that it is correct. With some exceptions, as will be presently seen, it is undoubtedly true, that in France the amount of legal crime does appear to keep pace with the amount of primary instruction. ‘My own reason,’ says M. d’Angeville, ‘had long combated the evidence of facts on this subject, before my investigations forced me to adopt this conclusion.’ ‘Of the seventeen departments which rank lowest in the series of education’ (in which from 660 to 800 out of 1000 recruits are unable to write and read), ‘seven are among the seventeen lowest in point of crime.’ Of the seventeen most enlightened, six are among the seventeen most criminal. Nor can we escape from this conclusion by help of the common notion, that crimes against the person are more common in ignorant districts—those against property in the more enlightened. The departments south of the forty-fourth degree of latitude, are those in which by far the greatest amount of crimes against the person are committed. They are not, generally speaking, among the most ignorant. It is in the centre and north-west of France, where ignorance is most dense, and religious feeling strongest, that the best morality in all respects appears to prevail. Nor, again, can it be fairly answered, that the mere number of persons able to read and write is no test of the amount of education in a given district. It is probably a very fair test ; not that these rudiments in themselves constitute education ; but because the number of persons possessed of the elements is an index to the number possessed of better education ;—

that is, out of 1000 instructed persons there will, in every district, be pretty nearly an equal number of well instructed. Nor, finally, is a statement of this description satisfactorily answered by a counter-statement (such as an English writer has endeavoured to oppose to it), showing that the criminals of a given district belong, in greater proportion, to the uninstructed than the instructed class of its inhabitants.\* That circumstance is amply accounted for, when we consider that the educated class comprises all those in easy circumstances, who are removed from ordinary temptations to crime. Graduates of universities are not often found to commit petty larceny; yet it would seem rather hasty to infer from thence, that a competent amount of classical knowledge eradicates the thievish propensity: it is perhaps safer to conclude, that the habits of their class exempt them from the temptation to gratify it in that particular manner. When Dr Gall visited the King of Prussia, that cunning monarch presented him to two richly decorated personages, and desired him to feel their heads, and pronounce on their character. The phrenologist conjectured that the one was a great financier, the other a distinguished general. They were, in fact, a couple of criminals dressed up for the occasion. The first was a thief, the second a highwayman. His Majesty, it is added, became from thenceforward a convert to phrenology. The moral of the story is as old as Juvenal—

• Ille crucem sceleris pretium tulit, hic diadema;\*

and it may be applied to the absurdity of reasoning, without far more accurate data than we possess, from the proportions which instructed and uninstructed criminals bear to those classes among the citizens in general.

The fact remains as M. d'Angeville has nakedly\* stated it: in France educated populations exhibit a larger amount of crime than ignorant ones. Of course, we are speaking without any reference to moral or religious education: the question before us relates merely to the connexion of intellectual proficiency with morality.\*

But a very little farther examination will suffice to dispel\* a great proportion of that cloud of scepticism—or rather that

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\* A better mode of arriving at the correct relation between instruction and crime would be, not to contrast the numbers of educated and uneducated criminals, but to compare the number of criminals belonging to different classes—*e. g.* agricultural labourers, domestic servants, &c.—in two populations, the one better and the other worse educated; and to exhibit also the proportion of educated to uneducated persons *in those several classes.*

despair of civil amelioration—which such a conclusion is apt to engender. We shall perceive how fallacious a process it is to test the quality and value of education by the statistics of crime in limited districts, without reference to the *other causes* which act, at the same time, on their society. In the first place, France exhibits the ordinary phenomenon of a large amount of offences against property, in those districts in which population is most accumulated and wealth most abundant. But we do not find this rule so invariable as is generally supposed. On the contrary, while Paris, and the departments in which Rouen and Strasburg are situated, rank very low in the scale of morality, Bouches du Rhone, and Gironde (Marseilles and Bourdeaux) rank among the highest; Rhone (Lyons) about the average; Loire (St Etienne), and Nord (Lille, and other manufacturing towns) both considerably above it. All these districts, however, are so peculiarly circumstanced with respect to the temptations to crime, that large allowances must be made before they can be brought into fair comparison with the remainder.

In the next place, M. d'Angeville's tables show one fact, which a mere glance at his map of comparative criminality will be sufficient to impress on the mind of the most superficial observer. It will be seen that the frontier and maritime departments of the east, north, and Pyrenees, exhibit (with some exceptions) a sort of dark band around part of the kingdom, indicating frequency of offences both against persons and property. Now, for this circumstance a reason is at once to be found—as M. Quételet has pointed out—in the frequency of smuggling, which especially prevails in those very districts. It is not generally known for how large a portion of the crime, as well as poverty of every country, the commercial folly of governments is answerable. As most of these departments happen to be among the best educated, this adventitious circumstance weighs unfairly in the balance in favour of ignorance.

In the next place, M. d'Angeville's careful investigations as to the proportion of acquittals to convictions in different districts, together with the proportion of refractory conscripts, and other tokens of civil insubordination, clearly prove that the most ignorant parts (with some considerable exceptions) are those in which the law is least efficiently administered. Now, there can be little doubt, that where most criminals are acquitted, fewest crimes are prosecuted; the state of society is altogether one in which the civil power has little authority, and especially in the repression of crime; and the small number of accused persons who figure on the departmental lists may prove its impunity rather than its infrequency.

Next, as to domestic morality, as measured by M. d'Angeville's two tests of the number of illegitimate births and foundlings: Here our attempts at analogy are still more unsuccessful. The amount of these different species of irregularity seems chiefly to depend on local habits and opinion—the public feeling of each particular district—with which the amount of education has scarcely any traceable connexion. The smallest number of bastards is found in Brittany, La Vendée, the valley of the Rhone, and parts of Franche Comté; the greatest, in Picardy, Artois, Alsace, Orleanois, and more especially in Gascony and Bearne. The number of children annually exposed is much greater in the south than in the north of France; and particularly rare in those districts of the north-east which we have already described as the best educated. And M. d'Angeville shows that the departments in which (according to his test) Catholicism is most ardent, are those in which foundlings most abound. But, with these doubtful exceptions, neither the amount of legal crime, nor pauperism, nor religion, nor education, can be shown to bear very distinctly on these phenomena.

In point of fact, this investigation ought to teach us how narrow and almost monastic a test the mere frequency or infrequency of offences against the law, or of this or that particular breach of moral observance, proves of the good and evil of society. In a flourishing community, the great bulk of the crimes committed consists of petty offences against property; and the general conclusion is, not that the mass of the community is corrupt, but that, where other trades thrive, the trade of the thief thrives also. Who does not contemplate with more satisfaction the condition of the people of Normandy, for example—with their good education, their sober and prudent habits, their shrewdness and industry, their physical well-being and their long duration of life—than that of the Breton peasantry, plunged in the most superstitious ignorance, multiplying on the soil with great rapidity only to spread the contagion of their misery, and attaining a far shorter term of life than the average reached by civilized man? Yet of the latter, scarce one in 6000 stands annually before the bar of criminal justice; of the former, more nearly one in 3000. The same considerations will apply even with greater force to the circumstances of our own people; among whom there is still more education, a higher standard of comfort, and greater industry;—attended with a still larger amount of petty crime, than among the most industrious and civilized portion of the French.

Another reflection of infinite importance is suggested by these tables. The tendency of social life, both in France and in England, is towards the accumulation of capital in few hands; and

the concentration of great multitudes in cities and narrow districts. We march rapidly towards a state of society in which a few great capitalists—a vast multitude of dependent labourers—and an idle class living on fixed revenues derived in various ways from the income of the rest—will form the whole population of our non-agricultural districts; perhaps, in the course of time, of the agricultural also. Every fresh discovery of science which tends to facilitate production or communication, tends likewise to this result. This is well known and observed on the continent as well as among ourselves; there is scarcely an Economist of the modern school, who does not think it necessary to lift up his voice against the pernicious effects of the modern system of industry on our social institutions; moralists rail at it, governments (though from different motives) do their utmost to check and disturb it; and yet it is as impossible to prevent it as to stop the growth of cities, or the construction of railroads. Such being the case, it becomes worth our while to make use of the light which statistical investigation throws on the actual condition of man, wherever this system is developing itself with the greatest energy. What traces do we find of that physical and moral degradation which, if the representations of such reasoners be true, ought to follow the spread of the unnatural domination of capital? France, at least, will furnish no very favourable testimony to their views. It will be seen that in that country, wherever capital is rapidly accumulating, and population increasing along with it, there, intelligence appears to spread; the physical condition of humanity is improved; people are better circumstanced in food and lodging,—in stature, strength, and (except in very crowded localities) in length of life. The same enquiry will doubtless show the real evils which do attend on such a state of society; but these are not the worst which can befall humanity; and they are such as the well-directed efforts of the enlightened classes may eventually do much towards removing. Petty crime and pauperism are the two great plagues which appear to spread with the progress of industry; the one may be combated with the assistance of religion and improved education; the other, by a firmer and more definite line of conduct on the part of governments.

But a more general and more important deduction still remains;—that national character, that bundle of tendencies and habits which make up the mind of a people, whether of a country or province,—is far more determined by causes which we cannot trace, and far less influenced by those which we can trace, than statistical philosophers readily allow. There is a strength in hereditary vices and virtues which seems proof, at least through

many generations, against the influence which changes of external circumstances may produce. Nothing so easily acquired by man in general as the art of adapting his own natural or acquired tendencies to the necessities of his situation ;—nothing so difficult as to get rid of them altogether. The boatman of the American lakes is still a Frenchman to the core ; and the lion-hunter of the Cape still a Dutchman ; notwithstanding the strange difference between their present habits, and those of their European ancestors. Great, no doubt, are the influences of climate, society, and instruction ; yet these, as M. Quételet truly observes, ‘ disappear in part before more energetic influences ;’ namely, the hereditary tendencies and faculties of different races of men, in respect of morals, no less than intellect. And the authority of this writer is deserving of more attention, because no one has laboured harder, by trying every possible experiment with cyphers and numbers,—by comparing every possible series of moral phenomena ;—to extract the quintessence of statistical knowledge—to discover what he himself calls the *mean, or average man* ; the common measure of all qualities discoverable by statistics. And one circumstance, which neither he nor others, in as far as we are aware, have remarked, deserves particular attention from those who study the philosophy of society. It is this : that the peculiarities which mark different races of men (whether physical, such as the supposed cerebral conformation of different races, or merely arising from habit and education, such as differences of dialect), have a tendency to grow stronger instead of weaker in periods of peace and orderly habits ; by the wearing out of the effect produced by the intermixture of races in periods of change and migration.

Whenever a race has become crossed by the introduction of a fresh family—provided the number of the strangers is less than that of the original inhabitants, and provided that intermarriage takes place freely between the two—it is evident that the effect of the new importation will be most visible in the generations immediately following the intermixture. The first offspring of intermarriages will partake of the characteristics of both races. But a certain number of these, in the next generation, will mingle anew with the original race ; and thus produce an offspring having one-fourth only of the blood of the settlers. And thus in every successive generation, the imported blood will become spread as it were over a wider surface in feebler proportions ; until, for all perceptible effects, it is fairly worn out, and the original stock predominates altogether.

This is curiously illustrated by Humboldt’s account of the mixed races in New Spain ; where accurate observation of the

proportion of bloods in an individual of impure descent is, or was until lately, a matter of some importance; inasmuch as his civil rights, as well as his position in society, might depend on the result. According to that writer, when the offspring of a black and a white (a mulatto) intermarries with a white, the offspring is termed a quarteroon. The union of a quarteroon and a white produces a quinteroon, having one-eighth of black, and seven-eighths of white blood. The child of a quinteroon and a white is regarded as white himself. Thus the impure admixture is obliterated—the blood has run clear in four generations. But this effect is produced much sooner, where the admixture is of the less degrading blood of the Indians. The child of a mestizo and a white (second generation from the admixture) is considered as *almost* white.\*

If, therefore, in a country like Mexico, there were a perfectly free intermixture of colours (which, of course, is far from being the case), it is plain that all the impure races would gradually approximate more and more to the character of the most numerous pure race (the Indian); until all perceptible distinction was lost. And, should no fresh immigration alter the proportion, such will eventually be the result,—however great the obstacles which pride of colour may oppose to its consummation; although many centuries must first elapse.

Sufficient account has not been taken of this great law of society—obvious as it is—by writers who have descanted on the variety of races at present existing in Europe. They seem for the most part to assume that these races are becoming more and more intermingled—whereas it is certain, that, except in those rare instances where a supply of foreign blood is kept up by immigration, they are becoming less so. During the long period of stationary habits which has followed the great movements of nations at the fall of the Roman Empire, the streams have been constantly running themselves clear. The effect of the Germanic and Gothic invasions of the West, on the physical constitution of its inhabitants, must have been obliterated long ago—in fact, it could never have been very extensive. The five or six thousand Franks of Clovis—the ‘nation’ of 60,000 Burgundians—must soon have amalgamated, notwithstanding their pride of birth, with the millions of provincials among whom they were established. It was not the importation of barbarian blood, but the uncivilizing effect of those invasions, which changed at that pe-

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\* Humboldt, *Nouv. Esp.* l. 2, ch. 7.

riod the face of Europe.\* Nations of conquerors, more numerous than these, are more gradually wasting away by the same inevitable process. The blood of the Moors is wearing out in Spain—that of the Slavonians in North Germany. We have no doubt that the ancient Hellenic type re-appears, after centuries of confusion, in the mountaineers and islanders of Modern Greece: the people of the plains, it is known, are chiefly of Slavonian descent. We believe also that Tiber has become purified from the temporary mixture of Orontes. The conquests and slavery of the empire introduced for a time a mingled race into Rome: but for many centuries the ancient capital of the world has offered no temptation to immigrants, except in small numbers, to repair the annual waste occasioned by its unhealthy climate; and it is probable, therefore, that the citizens of Rome, at the present day, are more truly the representatives of the ancient *Quirites*, than her inhabitants in the time of the Antonines.

What is true of kingdoms is equally true of provinces: except in flourishing cities, and on great lines of commercial communication, the populations of every district tend rather to separation than to cohesion; and hence, no doubt, arises that inveteracy of usages, habits, dialects, and character, which superficial observers remark with surprise, in the midst of the apparent uniformity produced by civilisation. Let us apply these doctrines to illustrate the very remarkable difference, in point of mental cultivation and morality, which exists between the northern and southern parts of France;—countries united for centuries by the same laws, language, and religion. M. Quételet, in a curious dissertation on this subject, in a work already cited, divides the races now inhabiting France and the Low Countries into three different groups;—the Germans—to whom he attributes a decided tendency to make free, both with the persons and property of their neighbours—in the North and East; the Pelagian tribes (meaning probably the Aquitanians and Ligurians) along the Mediterranean, among which crimes against persons predominate; the Celts proper, in the centre and west, perhaps the least energetic, but certainly the most moral race

\* See on this subject the observations of Guizot, in the first volume of his *Lectures on French History*, p. 297.—One of those truly magnificent passages, in which the student recognises at once the fruit of long study and innumerable observations thrown into one picture, equally just and comprehensive;—the history of centuries summed up in a page, with a *coup d'œil* almost equal to that of Gibbon, and with a greater depth of philosophy.



of the three. This division seems to us not quite historically accurate; but we cite it only as an instance of the application of ethnographical science to the study of the phenomena of modern society; which, we are convinced, must become far more general as those phenomena are more carefully investigated.

A line drawn across the kingdom from Nantes to Mezières (or nearly to the point where the Prussian and Belgian frontiers intersect) will have, on the north, the greatest portion of the thickly peopled departments of France. It is observable, that the same line marks the northern boundary of the wine-growing division of the kingdom. But in examining its moral and intellectual statistics, we are soon induced to draw this line in a somewhat different direction. That adopted by M. Charles Dupin (which runs from north-west to south-east, having Brittany to the south, and including Burgundy and Franche Comté to the north) seems to divide two nations. 'On serait tenté de croire,' says M. d'Angeville, 'que deux populations sont venues se heurter sur la ligne qui joindrait le port de S. Malo à la ville de Gênevè.' The slightest inspection of his maps will show the truth of the observation. This line will divide the agricultural from the manufacturing and commercial parts of the country with singular exactness (Maps 3, 4.) It will have to the north-east almost all the departments in which the stature of the inhabitants exceeds the average—to the south-west, nearly all in which it falls short of it (Map 5.) It will separate almost as accurately the better from the worse-fed population (Map 9); the well from the ill-educated (Map 9); the well from the ill-lodged (Map 10.) Military service is least popular in the south, and becomes more and more so as we approach the northern and north-eastern frontiers;—thus verifying, almost to the letter, the ancient remark of Strabo respecting the Gauls:—*αἰεὶ δὲ οἱ προσβωρότεροι καὶ παρωκεανίται μαχιμώτεροι*. Political zeal, as indicated by the proportion of electors who exercise their franchise, will be found strongest to the south of this line;—religious zeal also, although with some marked exceptions. The unpopularity and inferior efficacy of the laws—indicated by the proportion of acquittals to convictions, the difficulty of levying taxes, and the number of refractory conscripts—are also found to predominate greatly on the same side of the dividing limit.

It appears plainly, from these results, how far in arrear the south of France remains in most of those particulars which constitute external civilisation. Many different causes have been assigned for this phenomenon; and all of them may in some degree have contributed towards it. The south of France, taken generally, has fewer navigable rivers, and less facility of land

communication than the north (although there are many parts to which this observation does not apply); and hence there are undoubtedly greater obstacles in the way of industry. Something, too, is attributable to political causes, of which the influence is still felt after the lapse of many centuries. The south of France never fully recovered the destruction of its nationality by the northern invaders of the twelfth and thirteenth centuries. Its municipal franchises were abolished, its noblest families extirpated by the sword, its cherished and elegant language degraded into a provincial dialect. 'The most disastrous epoch,' says M. Thierry, 'in the history of southern France, is that in which its inhabitants became Frenchmen, and in which the monarch, whom their ancestors had known by the name of the King of Paris, began to designate them as his subjects of *Langue d'Oc*.'\*

But a more radical cause of this difference lies in the character of the different races to whom this fine portion of Europe fell as an inheritance at the beginning of known history. To the west and north-west the Celto-Gauls or Kymrians, or Gallo-Cambrians (to give only a few of the host of names by which modern antiquarians have baptized this much debated people); to the south-west the Aquitanians, or Basques, whom Strabo represents as resembling Spaniards rather than Gauls; to the south-east the Ligurian race, also of Iberian descent; are the three principal families who have peopled southern and western France. Differing from each other in many respects, they all (and especially the two latter) yield in most of the sterling qualities of social life to the Belgian race, and to the Gauls proper; by whom the north-east and east of France were respectively settled. The Frenchman of the south, with talent, energy, and vivacity, is deficient both in the disposition to industry and in the power of close reasoning; and not less so in the higher inventive faculties. In science, in literature, in the arts, his inferiority is plainly discernible. We do not recollect, at this moment, that any one of those great and truly original writers to whom France owes her chief literary distinction—with the exceptions only of Montaigne and Montesquieu, both Gascons, and Pascal, an Auvergnat—was born in the southern half of the kingdom. Even in the ordinary labours of the literary profession, almost all the best work is turned out by artisans from the north. Crébillon the younger, who acted as censor of the press for many years, used, according to Mercier, to estimate beforehand the probable excellence of a poem by the geographical position of the poet's birthplace. The

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\* *Histoire des Normands en Angleterre*, vol. iv.

passage is rather an amusing one, although in Mercier's usual overwrought manner :—

‘ Crébillon was in the habit of opening his door every morning to a number of versifiers and beginners in authorship. He said to me one day—“ Stay with me till a quarter to one ; that is the time when the poets bring me their manuscripts.”

‘ I sat down. The bell rung : Crébillon opened. Enter an author, with an air of ease and vivacity ; he presents himself with some grace, talks well ; he takes a chair, and draws a manuscript from his pocket. Conversation begins—and our author says some good things. “ What country do you come from ?” asked Crébillon, who, in the way of business, approved some forty or fifty thousand verses a-year. “ From the neighbourhood of Toulouse” replied the author, “ Good : leave your manuscript ; send, or come to-morrow, and the approbation will be regularly entered.”

‘ When this writer was gone, Crébillon, holding the manuscript in his hand, said to me “ I do not know what there is inside this : you have heard the young man ; he talks readily, and has wit. Will you allow me to bet you that his work is without rhyme or reason ?” “ Why so hasty a judgment ?” “ You shall know. Let us read it together.” In fact, the piece presented for the exercise of Crébillon's censorship had not common sense.

‘ The bell rings again : another author enters. He stops at the door ; he does not know how to come in, or to talk, or to sit down ; he moves as if he was afraid to bend his joints ; he scarcely escapes upsetting the censor's breakfast-table. It is quite a scene to get him to take a chair ; he tries to speak, and only stammers ; he answers our questions at random. After looking five minutes at his pocket, swoln with his manuscript, he draws it out awkwardly—lets his hat and cane fall in presenting it—looks about for his umbrella as if he thought it was stolen—sticks the point of his sword into my leg by a clumsy movement—and at last succeeds in saying, “ I beg you to be speedy, sir, for I have been told that you are very obliging.” Crébillon takes the packet with his usual politeness, puts his author at his ease as much as possible, and makes the same enquiry. “ I come from the neighbourhood of Rouen.” “ Good : in three days I shall have approved your manuscript.” He leads him out, and assists him to find his umbrella. The door seems too small for the exit of the poet, for he sways to the left, makes a false step on the landing-place, and tumbles down stairs ; after pushing back his censor four or five times with his hand, from excess of Norman politeness. “ What a brute !” said I : “ and that ani-

mal writes." "Well," says Crébillon, "you have seen him, you have heard him, or rather have not heard him. Will you take my bet that his work is not without merit?" "Then you know him?" "No more than the other. I never saw him before; let us read." We did so: the production of the clumsy Norman had ideas, style; in short, it was a very respectable performance. As I remained astonished at the spirit of divination which had seized on our censor, he said, "Many years' experience has shown me that out of twenty authors from the south of France, nineteen are detestable; while, out of the same number from the north, half at least have the germ of talent, and are capable of great things. The worst possible verses are made between Bourdeaux and Nismes. That is the latitude of bad poets. All these writers have in general nothing but wind in their heads; while those of the north have good sense and natural talent which only wants cultivation." I have had many occasions to apply Crébillon's observation, and have rarely found it fail. Southern heads (making allowance for exceptions), seem to me unfit for composition—they want logic.'

Yet this inferiority is not without compensation in other respects. It is quite remarkable how much of the peculiar character which has long distinguished the *élite* of the French nation—the tincture of the old court, the tone of elegant and witty circles, the 'form and pressure' of polished society—have been derived originally from the south. Wherever south and north have been brought into contact, on a stage where external advantages—quickness, and wit—were likely to predominate over essentials—as at Paris and Versailles—the first has almost invariably beaten his more solid rival out of the field. Our own popular notion of the French character is almost wholly derived from *l'homme du midi*, and is utterly untrue of the Norman, the Picard, or the Lorrainer. This has been especially the case since the reign of Francis I., with whom the courtly history of France begins. 'Ever since the end of the 15th century,' to quote again from M. Thierry, 'the class of men in favour, which was formerly termed in France *noblesse de cour*, has been always composed, in great majority, of Gascons and southern families in general.' And, whether this hereditary connexion with courts has given them also a peculiar aptitude for politics—or whether it be true, that the qualities most necessary for a political leader are not the sounder faculties of the mind, but boldness, readiness, and enthusiasm,—it is certain, as the same writer observes, that political power seems to fall, by a kind of destiny, almost invariably to candidates from the left bank of the Loire. In our own days, De Cazes, Villèle, Martignac, Polignac, Périer, Soult, Guizot, have maintained in turn this prescriptive right of their countrymen.

But a closer examination shows that these two great regions (thirty-two departments of northern, and fifty-four of southern France) comprehend many sub-divisions which merit a particular examination, from the distinctness of the features which they exhibit. In the following short survey we have partly followed M. d'Angeville's generalizations; and partly endeavoured to correct them for ourselves by reference to the statistical data on which he founds them.

The inhabitants of Normandy are a peculiar race, differing in many characteristic points from their neighbours, both on the east and west; a sort of cousins of our own, both in temper and descent, and

‘ Still from either beach,  
The voice of blood doth reach,  
More audible than speech.’

They deserve, therefore, our special investigation. Nor is it a kindred of which we have any reason to be ashamed; although the evil as well as the good results of a blood above average ‘strength,’ to use a Scottish phrase, are mingled in their composition. Normandy is unusually circumstanced with respect to the progress of population. Deaths, on the whole, are fewer, births also fewer, than in other extensive districts of France. The increase of numbers is very slow; one department, and that rich and commercial (l'Eure), presents the singular aspect, in Europe, of a community quite stationary in numbers amidst the highest apparent prosperity. Life is long; the standard of subsistence high; the race is above the average of France in point of stature; but, by one of those contradictions of which we have hinted an explanation, it does not appear to M. d'Angeville to be robust. A rigorous purist would not perhaps be delighted with the moral phenomena which these tables present with regard to this province. Although instruction is common, crime is, relatively speaking, more common still; the number of bastards and foundlings is also considerable. Notwithstanding all their education, the Normans have among them a considerable spirit of resistance to the law; taxes are not very easily collected, or conscripts raised; they are, in short, *moult forts a justitier* as their countryman, Wace, represented them six hundred years ago; when he very plainly recommended for them a much rougher course of treatment than is fashionable among modern political philosophers:—

‘ Foler et plaisier,’ (*ouler et ployer*) ‘lor convient,  
Si en toz temps soz piez les tient,  
E ki bien les defolt et poigne ..  
D'els porra fere sa besoigne!’

On the other hand, M. d'Angeville's tables show distinctly

enough that they retain also their ancient character of litigiousness ; their departments are among the blackest in the map of *esprit de chicane* ; and in this respect, as well as in their aversion to military service, they exhibit rather a southern than a northern character. They are not very zealous either in the matter of politics or religion. On the whole, the results which are displayed by statistical enquiry into the condition of the Normans, correspond with the character generally attributed to them ; a disposition marked by shrewdness, energy, independence, and some selfishness, but softened by the influence of wealth and intelligence.

Picardy, Artois, and the other departments of the Belgian frontier, form one of the most valuable portions of the kingdom ; both from the wealth and from the moral and physical character of the inhabitants. The blood of the old *Belgæ* here preserves the same marked superiority which it exhibited in the days of Cæsar over that of the other Celtic races. In point of manufacturing and commercial industry, no district of similar extent approaches this. Its population (especially in the departments of le Nord and Pays de Calais) is very dense, and increasing with moderate rapidity. The people are well fed, and the average duration of life long, except in the large towns. In point of education these departments scarcely figure so well as might be expected from their wealth and industry ; and pauperism is the eating sore of this part of France. Crimes are frequent in Picardy, rare in le Nord [French Flanders], notwithstanding its dense civic population. The department du Nord ranks highest of all in M. d'Angeville's columns, both with respect to the quality of the food consumed in it, and the average stature of the conscripts (one mètre 682 millimètres, or more than five feet six inches English). This department is the Lancashire or Yorkshire of France, in point of manufacturing industry ; and it is well known that those counties furnish, in like manner, the tallest specimens of Englishmen ;—a sufficient answer, if one were needed, to the notion that such industry has a general tendency to produce physical deterioration in mankind.

Alsace and Lorraine, that corner of Germany of which German patriotism still regrets the loss—'*dem Kaiser und dem Reich 'geraubt'*'—are inhabited by a mixed population, differing from the purely Celtic French in habits, and partly in language. Descended from the most warlike races of the ancient world—the semi-Teutonic *Belgæ* of the Rhine and Moselle—the fierce *Alemanni*, who, when these had become Roman and degenerate, trampled them under foot in the fourth and fifth centuries,—they are a bold and peculiarly energetic people, with the faults as

well as virtues belonging to such a character. In no part of France is military service so popular; in fact, the cavalry of the kingdom is at this day chiefly recruited from these departments; and the trade of plying as substitutes for the conscription—by which a prudent man may save 12 or 1500 francs in four or five years—is one commonly pursued by Alsatians and Lorrainers. Political excitement is very powerful; it is well known that the strongest partisans of the Imperial Government were to be found in this part of France, selected on that account by young Bonaparte as the scene of his abortive experiment in 1836; but the prevailing feeling at the present day is republican. Population increases rapidly; education is more general than in any district of equal extent; and, especially in Alsace, industry is highly developed. It is painful to be obliged to add, that Alsace is also one of the regions of France in which crime is most rife; for which it has in great measure to thank its custom-house lines and the economical wisdom of the Chambers. Domestic morality is also very indifferent: the exposure of children, however, is very rare in all these parts, and generally, as we have said, wherever education prevails.

The eastern parts of Burgundy and Franche Comté (the side of France nearest the Swiss frontier) have another very distinct race of inhabitants, and one possessed of many valuable qualities. Here there is not much of wealth or industry on a great scale; but the people are sober and active; they are uncommonly robust, and exempt from defects of constitution: one department of Franche Comté (Jura) ranks next to that du Nord in respect of the stature of its inhabitants. Education is here at its maximum; in Doubs and Jura only 170 out of 1000 recruits are unable to read and write;—the average number in France being 486 out of 1000. Crime is about of average frequency; the state of morals, on the whole satisfactory, especially with respect to the exposure of children, which is almost unknown; religious feeling (according to M. d'Angeville's test) strong; which shows that it is not incompatible in France with a high degree of education.

Britanny, notwithstanding its latitude, lies to the south, or rather south-west of the great line of division of which we have spoken so often; and its characteristics offer the strongest possible contrast to those of northern France in general. Here industry is very little developed; crime extremely rare; morality, in all the points touched by this statistical enquiry, very good—and yet instruction in the most backward state. The department of Finisterre, the extreme western part of the kingdom, is nearly the lowest in point of education; almost four-fifths of the inhabitant

are destitute of its very elements. Religious feeling is strong; political excitement very little. The department of Ille et Vilaine (in which Rennes, the ancient metropolis of Brittany, is situated) ranks lowest of all France as to the proportion of electors who exercise their franchise. In fact, the general political complexion of Brittany is that of sullen and passive Royalism. Physically considered, the Breton race is short-lived; scarcely attaining an average of thirty years,—very ill-fed and lodged, and very low in stature. The people of the department of Morbihan are the shortest in France; the average height of conscripts of twenty years of age being 1 mètre 633 millemètres, or five feet four inches English.

Anjou, Maine, and La Vendée, the seats of a population so distinguished in the annals of heroism and self-devotion, present no great difference from Brittany in their moral statistics. In all of them crime is rare,—education very low. The bodily characteristics of the race are favourable, with the exception of deficiency of stature. The number, both of illegitimate children and of foundlings, in this part of France, is extremely small.

The central region of Southern France, between the valleys of the Rhone, Loire, and Garonne, forms a wide space, comprising more than twenty modern departments, and presenting a general uniformity of features to the statistical observer,—the most miserable region, perhaps, not of France only, but of civilized Europe. This whole district is purely agricultural. Poverty is almost universal. The human race is diminutive, and far from robust. In one extensive province, chestnuts constitute an important addition to ordinary food; and that region (the Limousin) appears to be the worst circumstanced in all France with respect to the statistics of life. Considered as to the moral condition of its inhabitants, this wide tract presents a greater variety of appearances. These poor and neglected races, with very little instruction, are commonly very exempt from crime; but there are exceptions to this rule. Auvergne, with little industry or education, has many offences, both against person and property. Aveyron and Lozère (the region of the Cevennes, inhabited by a peculiarly ferocious people, whom the long wars of religion seem to have effectually demoralized) present nearly the worst aspect of any district in France. Military service is unpopular in all this part of the country; religious feeling strong; politics generally high; and it is curious that this poverty-stricken country seems peculiarly adapted to the growth of litigiousness. Indeed a district of about a dozen contiguous departments (comprising Auvergne, Lyonnais, and Dauphiné) would seem to be *the pays de cocagne* of French lawyers,—a land where briefs drop



like ripe figs into the mouth of the eater. In the beggarly little department of Lozère, on the southern declivity of the Cevennes, there is one lawsuit per annum for every sixty-nine inhabitants, men, women, and children!

The inhabitants of the valley of the Garonne,—the Gascons proper, against whom so many of the proverbial witticisms of their fellow-countrymen are directed—exhibit far more agreeable features. Although industry is not so much developed here as in the northern departments, yet much comfort prevails. Life is long in this favoured district; and the number of individuals who attain the age of a century much greater than in any other part of France. Instruction is moderately diffused, crime extremely rare. The department of Gironde, although it contains the great commercial city of Bourdeaux, ranks amongst the very highest in the scale of morality. Party and religious zeal are high; yet the people are sober and orderly; and, in a political point of view, their worst features seem to be a decided dislike to taxation and military service. On the whole, it would be difficult to point out any part of France in which the nature of soil, climate, and people, present together so satisfactory a picture.

The natives of the Pyrenees are usually drawn in favourable colours by travellers; but statistical enquiry seems very far from bearing out this flattering representation. They appear to be a robust and long-lived race; but with little education or industry, much crime, and a very relaxed state of domestic morality. Even pauperism (which we should not have expected) seems much developed in this remote country. A difference, however, must be made between the Basques of the Western Pyrenees, who are comparatively a superior race, and the inhabitants of the Eastern part of the same chain. Those of Roussillon, in particular (Pyrénées Orientales), appear to be among the worst-conditioned, in most respects, of the whole kingdom.

Provence ranks favourably in the scale of criminality, all things considered: although offences of violence are common, and morals lax. It is not much below the average in point of education. Religious sentiment is strong. It is observable that in this region, and in the maritime part of Languedoc also, the race of people is much taller than in the other southern parts of France. Perhaps an antiquarian might derive this peculiarity from the settlement of Phœcean and Massilian colonists among the more diminutive races of Aquitanians and Ligures (τοῖς ὄγκοις συνεστῆλμένοι, according to Diodorus Siculus). A simpler explanation may be found in the number of large maritime towns; for, in France at least, the people of cities are almost always better fed and taller than those of the country. Their subsistence is also good; yet life,

in this invalid-visited corner of the earth, is very short: scarcely more than thirty years. Indeed it appears to admit of little doubt, that the climate of the southern coast of France, deceitfully brilliant and mild, is little favourable to the human constitution.

Lastly, Corsica—a country by itself—a little kingdom, of which the inhabitants are as widely removed in habits and character from their neighbours of the mainland, either in France or Tuscany, as the Irish from the British. The population of Corsica increases, at the present time, nearly at the rate of one per cent per annum—the highest ratio of increase in France. But the habits of social order and industry seem scarcely to have penetrated beyond the walls of one or two seaport towns. Law is hated and resisted by all. Out of every 1090 inhabitants, there is one annually accused of crime—the highest proportion in France; but it must be remembered that the crimes of the Corsicans are those of the savage, not the citizen. It is a land where the dagger and the musket decide the disputes which are elsewhere terminated by civil process: the *vendetta* of a Corsican sept is not less long-lived, and even more savage, than the feud of an old Scottish clan. It is impossible to compare such a people, by any recognised standard, with the civilized inhabitants of continental France. Physically, their condition is not among the worst; they are robust, although short of stature—tolerably well fed—and enjoy rather more than an average duration of life, notwithstanding the many extra accidents to which that of a true Corsican is exposed.

These are a few of the principal masses of population which have their assigned portions within the boundaries of this fair kingdom. In tracing this short outline of their characteristics, we have but indicated a line of investigation which we trust to see more adequately filled up than it has ever yet been; and that in other countries also, in which we have an interest above that of mere curiosity. Let us conclude with the sentiment with which the able historian of the Gauls (M. Thierry) closes his work—a passage at once eloquent and true—allowing a little for the hyperbolic language, which continues to be the fault of Gallic rhetoric as much as it was in the time of Diodorus Siculus: \*—‘ Descended from the soldiers of Brennus and Ver-  
‘ cingetorix—the citizens of Carnutum and Gergovia—the sena-  
‘ tors of Durocortorum and Bibracte—have we no resemblance  
‘ to our fathers? That type, so strongly impressed on the ear-  
‘ liest generations, has time effaced it from the latest? Children

\* Πολλὰ λέγοντες ἐν ὑπερβολαῖς.

‘as we are of modern society, has civilisation, that costume of human races, transformed as well as disguised in us the old man? And, if we were to examine ourselves well in one of those crises where nations, shaking off social conventions, show themselves in the very nakedness of their nature, would it not be possible to discover some signs of this inheritance of virtues and vices? I know not: but, in tracing the narrative of this long work, more than once I have been stopped by a sudden emotion; more than once I have fancied that I beheld the image of men of our own days pass before me; and I have thence inferred that our good and evil dispositions were not born yesterday on this earth, on which we shall leave them.’ \*

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ART. III.—1. *An Architectural Tour in Normandy; with some Remarks on Norman Architecture*. By HENRY GALLY KNIGHT, Esq., M.P. 8vo. London: 1836.

2. *The Normans in Sicily; being a Sequel to an Architectural Tour in Normandy*. By HENRY GALLY KNIGHT, Esq., M.P. 8vo. 1838.

3. *Illustrations of the Normans in Sicily; being a Series of Thirty Drawings of the Saracenic and Norman Remains of that Country*. 1838.

IN these works, but more particularly the two latter, Mr Knight has collected most valuable materials for the history of mediæval architecture,—opening a mine of exceeding richness, hitherto almost unworked by the diligence of archæology. The plan adopted by him is one, which few amateurs have the means, and still fewer the opportunity or spirit to employ. Mr Knight has been accompanied in all his extensive tours by able architects, who, at his expense, and under his direction, executed the series of ample drawings, portions whereof are given to the public in the ‘Illustrations:’ and it is upon these graphic evidences that any theory propounded by him must in great measure depend. If documents are to be fairly and usefully brought together for the annals of art, it is by such a union of the man of practice, and the man of speculation, that the enquiry can be most satisfactorily effected. The professional designer can seldom have devoted his

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time and leisure to the labour of acquiring the historical knowledge requisite for the investigations which can alone suggest an instructive selection of examples; whilst the pencil of the amateur is never adequate to the principal task of supplying the mass and body of accurate and finished representations, which the architectural student requires. We do not by any means intend to speak disrespectfully of amateur productions: in themselves, they are the source of great and innocent pleasure. The sketch-book affords an excellent antidote against the weariness of the body; and the still more wearying idleness of the mind of the unlucky wight wandering (like too many of our countrymen) without object or end. Such attempts may furthermore have considerable utility as memoranda. They may serve as indications, directing others to the same objects—nay, occasionally they may form pleasing embellishments; but as the materials for any extended or scientific investigation, the performances, tintings, and sketchings of the amateur's portfolio never can supply the place of the productions of the real artist. The degree of proficiency required for making complete and satisfactory architectural drawings, exacting a thorough knowledge of measurement, perspective, and colouring, can only be acquired by such a consumption of time and practice, as is totally incompatible with the duties and occupations of any other active course of life; and the same observation may be extended to every other department of art. It will, of course, often happen that the drawings of the professional artist are slovenly and inaccurate, and it may sometimes chance that those of the amateur are skilful and correct; but, considered as antagonist classes, we may boldly assert that the *gentleman's work* in the book-plate, bears the same relation to the sketch of the operative draftsman, that the '*ladies' work*' in the '*Repository*' bears to the genuine caps and shoes of the counter. And we well recollect the placid criticism of the late Charles Stothard, who, when called upon, as in duty bound, to admire the broad and splendid contents of a non-professional portfolio, carefully and respectfully examined the first specimen, and then quietly turned its face downwards, so as to display the cream-white surface of the back, adding the simple remark, 'a very fine piece of Bristol board!' Perhaps the late Mr Hope may be an approach to a single exception from the general rule. His natural talent, his opulent leisure, and, above all, his complete devotion to the study of architecture, have placed him at the head of the voluntaries; but he is not orthodox; he is not on the establishment. His engravings literally *swarm* with inaccuracies. Pleasing as his outlines are, they only tell you where to look for the original edifices; whilst, if he had

adopted Mr Knight's plan, illustrating his essay by the pencil of a competent artist, his 'Historical Essay on Architecture' would have possessed almost unrivalled merit.

Mr Knight, having previously investigated the mediæval antiquities of France and Italy, visited Normandy (which, for various reasons, must not be considered as *France*), in 1831, with the views mentioned in this extract :—

'The startling dates assigned, by the Norman Society of Antiquaries, to some churches in the pointed style in Normandy, could not but excite considerable surprise and curiosity in other countries. The Society, in their report for the year 1825, depose that churches exist in Normandy, at Coutances, Mortain, and other places, which were built in the *eleventh century*, and built in the *pointed style*. It would not have been surprising if France had done nothing more than assert her prior claim to the adoption of the pointed style ; but that instances of the complete developement of that style should be found any where of such unsuspected antiquity, was enough to create astonishment.

'Under these circumstances, I determined to cross the water for the sake of inspecting and examining the architectural miracles in question. On so particular an occasion, I resolved not merely to trust to my own judgment, and engaged an architect by profession, Mr Richard Hussey, to be my companion ; that I might have the assistance of a practised eye to examine the construction of the buildings, and a practised hand to delineate their outline.'

Mr Knight having thus diligently surveyed the architecture of the Normans in France and England, and adopted the opinions which we have quoted, his researches instigated him to an undertaking of much more novelty and importance—'an account of their operations in the third scene of their conquest and dominion, in the Island of Sicily.' Here a new scene is unfolded,—a scene slightly noticed or inaccurately described by previous travellers ; and, from the facts collected by Mr Knight, he deduces the following conclusions :—

'1. That the Normans, adopting the corrupt Roman style, gave it a character of their own.

'2. That the supposed existence of the pointed style in Normandy in 1056 (*i. e.*, in the case of the cathedral of Coutances), is a pure imagination.

'3. That the Normans greatly contributed to the advancement of the arts in England.

'4. That architecture performed exactly the same revolutions in England and France ; France having, in all the changes, a certain precedence.

'5. That in Calabria, where the Normans settled before their acquisition of Sicily, they appear never to have departed from the round, or Romanesque style. The remains of their buildings testify a studious endeavour to imitate the works of the Romans. Until about the conclusion of the eleventh century, this style continued unaltered ; and that it appears from

various examples, that the same circular or Romanesque style was first employed in the eastern part of Sicily, and kept its footing for some time.

‘But it is equally clear,’ Mr Knight argues, ‘that at and near Palermo, the Normans, from the moment they conquered the island, employed a style totally different from the style which they had adopted any where else; totally different from the style which had, up to that time, been employed by any nation of Europe; and that, having once adopted this style, they ever afterwards adhered to it in Sicily.’

The ‘pointed style,’ to which Mr Knight thus alludes, is exemplified in several very remarkable examples, whose characters are to be collected partly from his descriptions, but much more distinctly from the Illustrations which accompany the text. In every respect are these objects most singular. Let the historian of Italy consult them with care; they will reveal to him much more than the mere progress of art; for the fabrics still existing in Sicily form the best commentary upon the pages of the Chroniclers.

Sicily formed a community whose political relations differed from all others of the age. The acquisition of the territory by the Normans, was productive of the smallest possible displacement of the races by whom the island was inhabited, prior to its subjugation. Of these the Greeks were, perhaps, still the most numerous. Whether the descendants of the first Hellenic colonists, or the result of later immigrations, they were still unbroken as a people. Their hierarchy continued its canonical succession; and, if the location of *two* bishops in *one* city be incompatible with the unity of the Church, the Latin succession, both there and in Naples, is in a state of irreparable irregularity. Their language flourished; and such arts as they possessed were cultivated with at least as much success as in the capital of the Eastern empire. The Saracens experienced from the Normans the same toleration which they had previously exercised. The code of the Roman Emperor, and the precepts of the Arabian Prophet, equally continued to be the law. In public documents the Arabic was employed concurrently with the two great dialects of the Christian world; and the descendants of the Scandinavian conquerors copied the costume and ceremonial of Byzantium; and adopted the luxuries and customs to which the subjects of the Caliphs owed at once their degeneracy and their civilisation. Whatever affinity the constituted government of the ‘Normans in Sicily’ possessed towards the laws and customs of Latin Europe, the spirit of the court, and the life and conversation of the sovereigns, bore a much nearer resemblance to Bagdad or Cordova, than to Westminster or Rouen.

The Arabian traveller might be well justified in not considering himself as a wanderer in an infidel land; and, though one portion of the subjects of the Norman 'William' have annexed the epithet of 'the Bad' to the sovereign's name, the wailings of the Saracen matrons, as he was borne to the sepulchre, might be well called forth by the remembrance of his mildness and impartiality.

This position of the Normans arose, in the first instance, from absolute necessity. A single fortress, nay a single tower, might have contained within its walls the united bands whose steady valour enabled the sons of Guiscard to win the fertile Trinacria. Any attempt to exterminate, or to expel the inhabitants, would have proved fatal to the conquerors; and, if such a depopulation could have been effected, they would surely have paused before they exchanged the uncultivated field, the deserted vineyard, and the idle harbour, for the tribute gladly paid by the industrious peasant, and the service rendered by the warlike Emir, wielding the scimeter and darting the javelin as the faithful defender of an infidel sovereign.\*

All these circumstances produced a fellowship between the Saracen and Christian mind, which influenced the whole aspect of social life. The splendour of the Saracen buildings calls forth the constant admiration of the ancient Chroniclers; and the fragments still existing at Palermo, or in its vicinity, and upon which Mr Knight grounds his deductions, still exhibit many striking features even in their decay. The first of these edifices is the Ziza:—

'A large and very lofty square edifice, built with large ashler stones in regular courses, and neatly put together with very little mortar. On the outside there are no original windows, for originally the windows were all turned to the court within; but the exterior is relieved and ornamented with tiers of long-pointed pannels, with two sinkings. Round the summit is a parapet of large stones, placed horizontally, on which is sculptured an inscription in Cufic characters.

'This building is still inhabitable, and has been so entirely altered, to suit its modern destination, that nothing original is to be seen in the interior, except a fragment of the Arabesque honeycomb in the corner of one of the ceilings. But the great curiosity of the place is an open hall on the ground floor, which is in good preservation, and is an exact counterpart of the luxurious retreats which are so universally seen in Mahomedan countries.

'This hall, connected by a wide segmented arch with an open corridor which stretches along the front, has three recesses—in one of which

\* Mr Knight's history of the conquest of Sicily furnishes the authorities for our text. It is clearly told, but we have no space for quotations.

(the one opposite the arch) is a fountain, of which the waters are conducted in channels across the marble floor. The vaulted part of the recesses is covered with elaborate specimens of that honeycomb work which is so common in the Alhambra. The walls are enriched with mosaics; the floor, which is much worn, has been inlaid.

‘There are inscriptions, in Cuphic characters on the walls of the corridor, on each side of the arch.

‘This hall is not the less curious for having been worked upon by the Normans;—in consequence of which it now exhibits the blended performances of the two nations—Norman and Saracenic ornaments side by side.

‘The Norman additions are small marble pillars and mosaics. The pillars, which are introduced at the angles and at intervals along the walls, have foliage capitals, with animals intermixed. The Norman mosaics represent huntsmen and peacocks, as at the Palazzo Reale; but the lowest band of mosaics, which goes round the hall, is a repetition of flowers, and so entirely Arabesque in its character, that either it must have been a part of the original work, or copied from Saracenic designs.

The other examples are found in the Cuba and its adjoining buildings. ‘Cuba,’ says Mr Knight, ‘is derived from the ‘Arabic *Cubat*, which signifies a vault, or vaulted work.’ The root will be easily recognised in the term ‘Alcove,’ which we have borrowed at second-hand from the Arabs, through the medium of the Spanish; whilst the etymologist might fill volumes with the cognate terms *куβη*, *куфос*, *cupa*, *kopf*, *cap*, *cup*, *cope*, *cover*, *quiver*, &c., all flowing from the same radicals of concavity.

‘La Cuba is a lofty oblong edifice, built round a court, with a square projection in the centre of each external side. It is constructed of large ashler stones, well put together. The outside is ornamented with the same pointed pannels; and there is the same parapet at the top, covered with Cuphic inscriptions. In the court within is a recess, of which the vault is ornamented with the Moorish honeycomb.

‘La Cuba was originally surrounded with gardens, in which were an immense fish-pond and various pavilions. Fazellus, in the first book of his ‘Decade,’ describes the past glories of the gardens in the following words:—

“Attached to the palace was a park or enclosure, about two miles in circumference, within which were delightful gardens. Within the enclosure were a number of vaulted pavilions, open on all sides, for the pleasure of the prince; of which one remains entire to this day. In the midst of the garden was an immense fish-pond, of which the sides were composed of very large squared stones, and were of a vast thickness. These walls are still in a perfect state. Over this fish-pond impended, as it were, the palace, built for the delight of the prince, round whose summit Cuphic characters are seen, of which I have not been able to obtain any interpretation.

‘The “vaulted pavilion” still exists entire, and is perhaps the most curious, as well as most genuine vestige of the Saracens, which is to be



seen in the neighbourhood of Palermo. It stands in a walled garden on the contrary side of the modern road. It is entirely built of ashler stone, and consists of four pointed arches, which support a small cupola. The arches are surrounded with exactly the same peculiar ornament which surrounds the windows in the old part of the cathedral. In the centre of the floor of the pavilion was a fountain now dry.' 1

In all these Saracen buildings the style is uniform. Invariably, the arches are pointed, not only in the blank windows and in the panels, but in the apertures, so as to show that they are an integral portion of the building; but this form, it is very important to remark, is not produced by a central joint, but by an excavated key-stone; and, wherever the central joint is absent, there is no true Gothic arch. The ornaments to which Mr Knight has given the name of the honeycomb exist in his examples, as he observes, in common with the Alhambra: but we do not observe those great peculiarities of the Moorish architecture of Spain,—the contrasted, the foliated, and the horse-shoe arches. The general aspect of the Sicilian Saracenic style is more severe than in the Caliphate of Cordova; there we may study the Saracenic style in full luxuriance; but in Sicily the order approximates more nearly to that employed in Armenia, Syria, and Persia, from whence the model was probably transmitted to the West.

Such, then, was the aspect of the Saracenic buildings found by the Norman conquerors in their new kingdom; and the most ancient vestige of Norman architecture exhibits, as Mr Knight is of opinion, their adoption of the enchorial style. This relic is the more ancient portion of the church of San Giovanni de' Leprosi, apparently the earliest structure of the Saracenic Norman era; and it possesses the strongest claims to the character of authenticity. Erected by Count Roger, for the purpose of marking the spot upon which his forces were encamped, the event which the church commemorates, and the known period of the death of its founder, fix the date of the structure between 1072 and 1101. The building is small, and much of what exists is reconstruction; but the external walls of the two sides, and the east end of the church are original, as well as the cupola. The windows and doors in the lateral walls are pointed and plain; and the stone cupola rests upon four pointed arches. We are therefore here presented with the *form* of the Gothic arch, nearly coeval with the age of our Anglo-Norman conquest.

This church of San Giovanni degli Leprosi, is only a fragment. The edifice which furnishes the next link in Mr Knight's chain of evidence, is more ample in its features. It is the church of San Giovanni degli Eremiti, whose aspect is entirely unaltered,

unimpaired, and unimproved, and whose history is exempted from any obscurity. Built, together with the adjoining monastery, by King Roger, the Sovereign addressed his missive in 1132, to William, the head of a congregation of Hermits at Monte Vergine in Apulia; requesting him to send a sufficient number of members of the fraternity, which had then acquired a great reputation for sanctity; in order that they might colonize the new establishment, then ready for their reception. A subsequent charter or diploma, dated in 1148, is existing, wherein King Roger describes the foundation, as "that monastery which is situated under our own eyes, and near to our own palace, and which was built at our own expense." The period, therefore, of the erection of the building is ascertained with great precision, and its identity established in the unaltered state in which the church still subsists.

'It has so oriental an appearance, that, if its history were not so accurately known, it might have been mistaken for one of the mosques of the Saracens; afterwards converted to Christian uses. The singularity of its exterior arises from the number of its little cupolas, in shape exactly like those which are seen all over the East. It had originally five cupolas; three over the nave and one over each transept. Of these, four remain. The cupolas are supported by a curious process of corbeling at each corner, the necessity for which expedient arises from the imposition of a circle on a square. The whole (cupolas as well as walls) is constructed of squared stone. This building is in the shape of the Latin cross, with three apses at the east end. It has no side aisles.

'The arches, under the cupolas, are pointed, as well as the doors and windows.

'About this building there is more character and peculiarity than about any we have hitherto seen. There is nothing at all like it either in France or England. The dissimilarity arises from the oriental manner which the Normans acquired in Sicily.'

In this church the predominating character is that of simplicity; but great splendour and magnificence distinguish the coeval structure of the 'Capella Palatina;' in which the singular constitution of the Norman-Saracen realm itself is brought, as it were, before the beholder.

'A considerable part of the Norman palace remains, though much has been pulled down, at different times, and much is disguised by modern reparation. It was originally built on the plan of the Norman Keeps of the north. The principal rooms and the chapel were, and still are, on the third story, whilst the rooms for attendants and prisons occupied the space below. There is a large court in the centre. Originally, the palace had a square tower at each angle; of which, only one, called La Torre di Santa Ninfa, remains in its ancient state. One of the towers was built by Count Roger; another, by William I.; and a third was added by William II. King Roger's addition to the palace,

was the celebrated chapel. The Norman kings had also constructed a great hall for public occasions. This hall was united to the western side of the palace, and must have been on the ground floor, as William I. is related to have *gone down* to it from his apartments, when he went to address the people after the insurrection.

‘The Norman tower which remains, is ornamented externally with long pointed pannels, slightly sunk in the walls, and retains a few of its pointed windows, divided by slender pillars.

‘Ascending the great staircase, we proceeded at once to the chapel, which runs the length of one side of the palace, and is entered from an open corridor, which goes round the four sides of the court.

‘This chapel is in the most complete preservation; a perfect gem of its kind, and a most singular and interesting specimen of that mixture of style which is only to be found, and could only be found in Sicily.

‘It has all the features of a large church; a nave, side aisles, and three apses. It is built in the long Latin form, not on the square Greek plan; but it has a Greek cupola at the intersection of the cross. The choir is approached by a few steps. The pillars of the nave are taken from earlier buildings, and are of different materials; some are granite, others marble. Their capitals are of the time, not exactly alike, but all ornamented with foliage, without any admixture of figures. The arches are all pointed.

‘The windows are short, broad lancets, small in size, and few in number; for, in southern regions, where the beams of the sun are so intensely bright, it becomes a great object to exclude them, especially from religious edifices, to which a certain degree of sombreness imparts additional effect.

‘The apses, the cupola, the walls, the insides of the arches, every part of the interior are entirely covered with mosaics, on a gold ground; the effect of which, especially when the sun streams on any particular part, is more rich, without being gaudy, than can easily be imagined.

‘The roof is not less peculiar. It is of wood, fashioned and ornamented in the Saracenic manner. The centre is composed of a series of large roses, or stars, with pendants between each, and on the edges of these compartments are inscriptions in Cuphic characters, associating Mahomedan recollections with a Christian temple. On one side of the choir appears a marble candelabrum, copied from the antique, but with a mixture of Norman ornament.

‘This chapel was built by King Roger, and appears to have been finished in 1132, as in that year, it was invested with the privileges of a parish church by the bishop and chapter of Palermo. It is evident, that in the construction of this chapel, both Greeks and Saracens were employed—the artificers of the conquered nations, whose style predominates over that of their employers.

‘Adjoining to the Capella Palatina is the Sacristia, out of which opens the Archivio, wherein, under lock and key, are preserved original charters and deeds relating to the chapel, from as early a period as the time of King Roger. Some of these deeds are in Greek, some in Greek and Arabic. The signatures of the witnesses are both in Greek and Latin characters.

From the Archivio we went to the only room, in the Norman tower, which remains in its original state, exactly as it was in the time of William I., a small remnant of those private apartments, the richness and variety of which, Ugone Falcando describes in such glowing terms. The room which remains bears out the account of the magnificence of the Norman kings; for its coved ceiling, as well as its walls, are encrusted with mosaics, and small Norman pillars of marble decorate every angle of the room. On the walls are seen Norman hunters, with the cross-bow, stags, and several peacocks, introduced for the sake of their brilliant colours. The mosaics of the ceiling represent leopards, lions, griffins, and other animals.

The same characteristics are found, without any essential variation, in most, if not all, the edifices erected subsequently to the completion of the Sicilian conquest; showing how willingly the Normans availed themselves of the services of their vassals, and adopted their science. Thus, in the cathedral of Cefalu, built by King Roger, all the internal arches are pointed. The arches on each side of the nave, at the intersection of the nave and transepts, in the triforium, over the windows, in the external ornaments,—all are pointed; and, at the end of the transepts are small circular windows beneath obtuse lancets.

Now, from the foregoing examples, as well as from the pointed style existing in the cathedral of Catania, the Catolica at Palermo, and the 'Favara,' a palace exactly in the style of the Cuba and the Ziza, and attributed to the first Norman sovereign—all diligently elucidated by desire of Mr Knight, he draws the following inferences:

'That the Normans in Sicily employed the *pointed* style—that it was used in Sicily before it was adopted on the continent of Europe; and that it was borrowed from the Saracens of Africa—'whether there introduced by a Saracenic, or a Greek architect, to meet that love of variety for which the Arabs were remarkable.'

With respect to the subsequent diffusion of the Gothic style in Europe, Mr Knight reverts to the old theory, that it was introduced by means of the Crusaders; in which opinion Mr Sidney Smirke, who, with great ability, examined the same ground,\* coincides—these gentlemen, standing almost alone in the present day, as the champions of a doctrine which, we believe, has been generally renounced by architectural enquirers.

Of the substantive importance and value of the materials which Mr Gally Knight has collected, it is impossible to speak too highly. Talent and well-directed diligence mark his operations; but we are compelled to pause in regard to his conclusions.

Our hesitation—not to say our absolute scepticism—is excited in the first instance, with respect to any theory ascribing much importance to Anglo-Norman art; and we think that Mr Gally Knight has fallen into the usual national error of assigning an undue value to the productions of the so-called Norman or Anglo-Norman architects, whether as exemplified in the circular or in the pointed styles. Fully do we admit his proposition ‘that the Normans (in Normandy), adopting the corrupt Roman style, gave it a character of their own;’ but it was by imparting to it a character of greater *rusticity*, or, according to the ordinary phrase, of barbarity, than is found in almost any other coeval school, and by generally exhibiting an inferiority of architectural talent.

Amongst the productions of the Normans, either in the Duchy, or in England, we may search in vain for monuments which can bear comparison with the skill and magnificence exhibited in Germany, or Belgic Gaul,—taking Cologne or Rheims as the centres. We can consistently extend this assertion to every species of mediæval style, even until its last and concluding age; and, if tried by that same hard test of comparison, when placed in competition with the Continent, every example found in England—with the exceptions, by no means free from doubt, of the ‘lancet style,’ and the fan vaulting of the ‘age of the Roses,’—displays a lower degree of architecture, taste, capacity, and skill.

With respect to the evolution of the circular styles from and out of the architecture of the Lower Empire, the course which these formations pursued, may, perhaps, be even yet distinguished so as to remove a portion of the difficulties enveloping the history of mediæval art. A curious parallel might be instituted between the fortunes of the language, and of the architecture of imperial Rome. Employed by the monastic writers, the Latin is used for the purposes which the state of society requires; sustaining modifications, which, without obliterating the original dialect, give it the boldness and pliability of a distinct language. New words are introduced to express new ideas; the writer emancipates himself from the elegancies of composition and the rules of syntax; yet in the main, the inflections are preserved. Peruse the barbarous text and still more barbarous verse; and, amidst corruptions and solecisms, you may yet discern the effects of the transmission and tradition, however imperfect, of the lessons of an earlier age. Such was the Latin of the clerk, as exemplified in the legend or the chronicle; but the *Romana rustica*—the vernacular dialect, which, under various modifications became the foundation alike of the *Langue d’oc*, and the *Langue d’oil*, the *Romansch* of the Grisons, and the *Ladin* of Sardinia, and the lineal, though

remote parent of the French, and Italian, and Castilian—was the result, not of transmission and tradition, but of imitation. Celts and Teutons, Goths and Lombards, had acquired the Roman language by practice. Words were acquired by usage; sounds repeated by ear. But they knew nothing of any previous teacher. The *Monk* breaks poor Priscian's head often enough; the *Rustic* is guiltless of any knowledge of Priscian's existence.

Now, to this two-fold developement of language, there is much analogy in the appearances presented by Romanesque art. Within the circuit of the kingdom of Arles, as well as in some adjoining districts, a style prevails which at once claims a direct transmission from the age of the Cæsars; and hence it may be termed the *Imperial Romanesque*. The capital is, almost invariably—not an imitation of the Corinthian order—but the very Corinthian itself, as it exists in the later Roman monuments, and frequently worked with great truth, delicacy, and beauty. The mouldings, particularly of the archivolt, are in accordance with the columns; the ornament denominated the 'ornamented echinus,' or 'the egg and tongue;' is almost invariably found in them. The frieses frequently consist of foliage, animals, and antique masks; and all the decorative features tend towards uniformity and system. The usual arrangement of the doorways exhibits an arch within a pediment. The impost is decided. Fluted pilasters are commonly introduced—and the baptistery, with its circular colonnade, is, in every instance in which we have seen it, exhibited as a heathen temple. A regular and consecutive series of examples in this style can be adduced from the period of the erection of the palace of Diocletian to the thirteenth century; when it at length yielded to the *Gothic*—but, even then, many of its features still linger beneath the pointed arch.\*

Very different, in feeling, is the *Romanesque-barbarous* style, which, prevailing over good part of Belgic France and Britain, and also occasionally interpolated between many districts of the *Imperial Romanesque*, exhibits a most decided difference of cha-

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\* As in the cathedral of Lyons, where fluted pilasters, nearly in the *Imperial Romanesque* style, are found as coeval with the Gothic of the age of St Louis. The portal of the cathedral of Avignon, probably of the tenth century, is a splendid example of the best *Imperial Romanesque*. Another is found in the entrance to the south aisle of the cathedral of Aix. It is probably of a much later date. The first impression resulting from such a specimen would be, that it was made up of classical fragments; but a careful examination, will leave no doubt but that the whole is a mediæval order.

racter. The sculpture is generally less skilful, the foliated capitals occasionally approximate to the notion of the Corinthian ; but never exhibit any intention of retaining the properties or character of the order ; and these capitals are far less favourites with the architect than those composed of rude groupes and misshapen grotesques. The impost, no longer a decided member, becomes a mere adjunct to the capital. In the mouldings, there may be an occasional resemblance to the genuine Roman style ; but generally they are only to be considered as resulting from the caprice of the untutored workman, who copied from the older structures just so much as pleased him, but who, having no instruction, displays all the clumsiness, all the fancy, and sometimes all the life and originality of untaught talent.

Such are the outward appearances ; the immediate cause must be sought in the institutions of the times. As the substratum and foundation of any consistent theory for the history of art ; in the middle ages, we must advert to the fact that, in the earlier eras of society, all handicrafts (save and except those upon which slaves were employed) were carried on by societies which the Romans termed ' Colleges ;'—receiving in the middle ages the appellation of ' Guilds,' ' Mysteries,' ' Zunftēn,' or other analogous denominations. The leading principles of these bodies was their connexion with the religion of the people. Erring and corrupted as the faith of the polytheists of Greece and Rome may have been, the worshippers did not refuse to acknowledge that from the Gods proceeded all inventions useful to mankind,—all well-being and prosperity. Furthermore, these Colleges adopted as a leading or fundamental principle, that they conferred an hereditary privilege or duty. The son succeeded to the occupation of the father ; just as in the companies and guilds, the son became a freeman by birth-right. His trade was his best estate—his inheritance. Under certain conditions, however, the civil law permitted the aggregation of strangers ; and in some cases the trade was a service appendant to the possession of edifices or land. An analogous system appears to have prevailed in Egypt ; and the appropriation of trades and callings amongst the lower castes of Hindostan is governed by the same principles ; whilst throughout the Ottoman Empire and its dependencies, as well as in Persia, the incorporations of trades continue as an integral portion of municipal policy ; having subsisted through all the mutations to which these countries have been exposed.

We must include architecture, sculpture, and painting amongst the handicrafts pursued by these operative communities ; nor should it be considered that such a classification in any wise

deteriorates from their true dignity. No proposition can be more true than the old motto of the blacksmiths' guild,—‘ By hammer and hand *all* art doth stand;’ and the fine arts have never attained their highest degree of excellence, excepting when their professors have combined the genius of the inventor with the results of practical skill.

Amongst the Roman ‘ Colleges,’ the company of hereditary architects held a conspicuous place. The sepulchres of the families of the ‘ Cossutii’ and the ‘ Corneli,’\* display the opulence and station attained by the artists whose birth placed them in the profession; and the constant recurrence of the names of fathers, and sons, and grandsons, employed upon one and the same edifice during the middle ages, shows how deeply the hereditary system was rooted, and how long it was sustained. †

The qualifications required by Vitruvius for the profession, would require laborious study and sedulous application; his standard of education is placed exceedingly high: in the abstract idea formed by the Roman of the qualifications needed for his favourite art, certainly we may fail to discern the need of music and medicine; yet the expediency of sufficient knowledge of law, for the purpose of obviating difficulties as to the exercise of the rights annexed to the dwelling, cannot be considered as entirely unnecessary; whilst the lore of astrology, in an age when they sought to give stability to the foundation of the edifice, by placing the corner-stone deep in earth, in mystic conformity to the position of the astral spheres, would be deemed perhaps still more important by his contemporaries. But the masonic square, the level, the trowel, and the mallet, all carefully represented upon the memorial of the Roman architect, ‡ display how important a feature the mechanical practice of the art was considered, in estimating the calling to which the Master belonged.

Now, it is to the societies representing and continuing these Roman colleges, in those cities of Gaul which, during the middle ages, and, indeed, until the great political revolutions of our own times, retained the unbroken succession of their municipal government from the imperial age—as was peculiarly exemplified in Nismes

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\* Given by Gruter, Vol. I., p. 644. One of those Cossutii was employed by Antiochus, to complete the temple of Jupiter at Athens.

† One family of workmen continued employed in the *Certosa* of Pavia during more than two centuries. Vassie states that the family to which Augustino, and Angelo de Sienna belonged, were employed as architects upon various works from 1190 to 1308..

‡ They are given by Gruter, as before quoted.



and Cologne—that we would attribute the structures which we have designated as the *Romanesque-imperial*, and described as always exhibiting a decided, and often a successful, endeavour to assert the relationship to the prototype; whilst, in those countries where the Roman institutions were flooded and overwhelmed by the barbarian population, the destruction of the imperial institutions would lead to a corresponding result, and create the *Romanesque-barbarous*; in which the predominating features are a ruder fancy, and a wider departure from the archetype. After the extinction or dissolution of the bodies deriving their succession from the colleges, the art would only be practised by insulated workmen. All connexion between them and the earlier schools would be destroyed, and the *Romanesque-barbarous* would become what we now find it—an imitation attempted by self-taught operatives; in which the greater or less degree of similarity to the workmanship of the ancient models would depend upon the accuracy of eye possessed by the workman, or the skill acquired by his hand. He speaks a broken language, in which, possibly, many of the grammatical inflexions of the parent idiom are preserved by practice, although no rule of grammar is recollected or retained. But (if we may be permitted to continue and then to dismiss our similitude) such a jargon, fragmentary and imperfect as it may be, would contain within it a much more energetic spirit of vitality, a much more effective germ of improvement, than the dialect fettered by a more anxious wish to preserve the forms of the learned tongue.

We have before observed the inferiority, in the widest sense, of Norman art;—and more particularly as exemplified in the clumsy, unartificial, and unworkmanlike specimens of the circular style, as adopted by them. This was the inevitable consequence of the mode in which they effected their settlements. They began by destruction. Fire and bloodshed followed the men of the North wherever they trode. They cleared the way for trowel and chissel by sword and torch. Against the Christian edifices, as against the Christian religion, the votaries of Thor and Odin warred with unsparing fury. Certainly these paroxysms subsided. The *Bersker* became the citizen of a well-ordered state. But the mischief was done. Temple and basilica, arch and forum, had fallen; and when the successors of Rollo became the liegemen of the Frankish crown, and adopted the faith which they had persecuted, there was probably not a structure remaining in Neustria which could afford a platform for the cathedrals and monasteries which they raised. Working drawings, in those countries, were unknown; they were only to be found where the corporate succession of the colleges still subsisted—at Cologne, or Arles, or

Byzantium. All models were destroyed. With the dubious exception of a crypt at Rouen, not a vestige can be found in Normandy of any building anterior to the age of Robert I. Isenbard and Grimbold had shaped their capitals and mouldings either from recollection or from fancy; and hence the grotesque variety of ornaments which they exhibit:—the ‘billet,’ the ‘chevron,’ the ‘zigzag,’ the ‘embattled fret,’ the ‘hatchet,’ the ‘dog-tooth,’ the ‘cable,’ the ‘spear-head,’ the ‘blocked head,’ the ‘beak-head,’ the ‘nail head,’ the ‘runic knots,’ the monsters with protruding tongues and goggle-eyes—all of them, we confess, our dear delights; and, to borrow the language of a bibliomaniacal friend, (contemplating a ‘tall-copy’ of Swenheym and Pannartz,) ‘warming the very cockles of our hearts’—all highly singular, curious, and venerable, but destitute of any connexion with Imperial-Roman art.

Mr Gally Knight considers that the ‘Normans greatly contributed to the advancement of the arts in England.’ It is impossible to prove a negative, or to predicate the peculiar aspect which human affairs would have taken, if a past event had not occurred. It is, therefore, sufficient to observe, that we search in vain for the slightest proof that England advanced more rapidly in the arts, than the states subject to the supremacy of the kings of the French, or the German Cæsars. On the contrary, however much it may wound our national pride, we are compelled to admit that we must, in all respects, yield the palm to our competitors.\*

After all, what do we mean by *Norman taste*, or *Norman art*? What is Norman taste?—whence its origin? Can it be easily or accurately defined? If we adduce the structures raised by the piety of Lanfranc or Anselm, will not the reply conduct you beyond the Alps, and point at Pavia and Aosta, the cities where these distinguished ornaments of the Anglo-Norman church were fostered, and where their taste was formed? All the intellectual cultivation of the Normans was imported ready made. Amongst

\* Mr Hope (Essay, chap. xxxvii.), analyzing the various elements of architectural merit, has demonstrated the great comparative inferiority of the English style.

In one style alone might England seemingly advance a claim to originality and surpassing beauty. The fan-vaulting exhibited in the roofs of King’s College Chapel, and its two *descendants* at Westminster and Windsor, appears to possess a finer and more peculiar character than any similar existing example on the Continent. But ‘Claus,’ the architect of King’s, and therefore the parent and inventor of this style, was a German.

the eminent men who adorn the Anglo-Norman annals, the smallest proportion, perhaps, derive their origin from Normandy. Discernment in the choice of talent, and munificence in rewarding ability, may be ascribed to the successors of Rollo; but if the Normans are considered as a people, we shall fail to discover any valid title to the honours claimed for them by the fond patriotism of modern archæologists.

With respect to the introduction of the Gothic style into Normandy, Mr Gally Knight labours hard to prove that the cathedral of Coutances, ascribed by the French to the eleventh century, belongs to the thirteenth. The structure itself is in the 'advanced pointed style,' and exhibits all the characteristics of that style, in their greatest perfection. The original cathedral 'shared the fate of so many of the towns of France, and was almost destroyed by the Normans in the ninth century.' In the year 1056, a new structure was completed under the auspices of Bishop Geoffrey, who was assisted in this undertaking by Tancred de Hauteville and his six sons, 'who, at the earnest solicitation of Geoffrey, sent a liberal portion of their Italian spoils to advance the restoration of the Norman cathedral,' 'which was consecrated in the presence of William, Duke of Normandy, nine years before the conquest of England;' and 'the Norman Society of Antiquaries assert that the greater part of the existing building is the work of Bishop Geoffrey, or in other words, that the pointed style was adopted in France a hundred and thirty years before it appeared in England, and nearly as much before it appeared any where else.' But partly upon the authority of certain inscriptions, and partly from the 'peculiarities of the style,' Mr Gally Knight attributes the main portion of the building to John d' Essaye, Bishop of Coutances, who died in 1274; 'and if the whole of the cathedral was not rebuilt at that time, historical notices remain, to point out the period when other alterations took place.' In 1356, soon after the battle of Poitiers, Geoffrey d' Harcourt besieged the cathedral, which was exceedingly damaged, so as to require extensive repairs, which were begun in 1371, and were not completed even in 1462. 'The miracle, therefore,' continues Mr Gally Knight, 'is a dream, and the existing cathedral belongs partly to the second half of the thirteenth century, and partly to a period by more than a century later than the above-mentioned time.'

Lisieux having been destroyed by fire, about the year 1136, was rebuilt between 1140 and 1182; and the existing cathedral, exhibiting a plain and simple, but pure Gothic, with some Romanesque interpolations, has been generally attributed to this period by the Norman antiquaries, as well as in this country. Mr

Gally Knight says, No.—‘The real date of the existing church is disclosed in a single line of the *Gallia Christiana*, which, speaking of other things that occurred in the year 1226, mentions, incidentally, that in the same year, the church of Lisieux was destroyed by fire, 1226,—*Ignē combusta est Lexoviensis Ecclesia* ;’ but, as Mr Knight admits, ‘portions of the preceding fabric may have escaped the flame, and have been combined, as was frequently done, with the new work of the repairs’—a concession which destroys the whole force of his argument, and leaves the question exactly as it stood before.

A third example, the collegiate church of Mortain is, or was, supposed by the French antiquaries to be the very structure erected in 1082 by Robert, the brother of the Conqueror. But, with the exception of one portal, ‘the church of Mortain is in one style throughout, and that, the confirmed pointed—arches, windows, doors, all are pointed. Evidently anterior to Countances, Mortain is no less evidently of a later date than the eleventh century. In style it more resembles the buildings of our Henry III. than English buildings of any other period. But nevertheless, it has some very peculiar features. The arches rest not on piers but pillars; and the capitals, mouldings, and ornaments, are the same with those which are found in the Norman churches in the round style;’ ‘the windows have recessed Norman pillars on either side;’ and, combining the historical data (for which we must refer to Mr Knight’s work) with the evidence of construction and style, ‘I should incline,’ he continues, ‘to the opinion that the collegiate church of Mortain suffered during the struggle between John and Philip Augustus, either from the soldiers of the king, or the men of Brittany, and that it was rebuilt with the assistance of Philip Augustus, after peace was restored.’

Such are the conclusions of Mr Gally Knight. They are entitled to great attention, and the Norman Society of Antiquaries have recently adopted the same assigned eras of construction, surrendering their dates at discretion. We would not hastily tax such a respectable body with want of moral courage; but it does not look well, that in so important a matter they should have made a victim of one of their most able and intelligent members; making him individually responsible for the opinions which had before been advocated in the ‘Transactions’ published under their collective authority. Yet it appears to us there was no necessity for the surrender, and that this long-vexed question in the chronology of art is as much open to doubt and discussion as it was before.

In Mr Gally Knight’s strongest case, that of Lisieux, he admits that it may contain portions of an earlier edifice;—which, as we have observed, nullifies all his previous arguments; and, to as-

sert that a building is, *evidently* of a later date than the period assigned for its foundation, is merely begging the question; for we are not yet in possession of any internal testimony by which the precise date of the introduction of the completely developed Gothic style can be ascertained.

True it is, that there are some cases in which reasonable testimony is afforded of the date belonging to a given architectural fashion or form—Heraldic bearings introduced in such a manner as to show that they are an integral portion of the ornaments of the edifice—Costumes connected with usages and customs of which the era is ascertained—Inscriptions, when *we can fully mark out and define the portions of the building to which they refer*;\* and, above all, rarely as they occur, Working-Drawings. Such, and similar positive proofs, furnish an approximation to the facts; whereas, in the question now before us, all our antiquarian enquirers seem to have placed their main reliance upon gratuitous assumptions and negative evidence; and, because we cannot indubitably point out (being as yet only at the commencement of our investigations) a Gothic edifice bearing a positive date anterior to the period arbitrarily fixed as the origin of the style;—for never let it be forgotten that the period fixed by them rests merely upon their opinions—they assert that none exists, nor has ever existed. It is a mere matter of conjecture whether many portions of such Gothic edifices as Coutances or Lisieux do, or do not, belong to the original fabric; and when we recollect the continued repairs, alterations, spoliations, and destructions, sustained in the course of a thousand years, it is a bold thing to maintain that the scattered fragments now remaining in sufficient numbers to excite, though not to satisfy our curiosity, furnish materials for passing an irrevocable judgment.

Probably the examples adduced by Mr Gally Knight may tend to establish the fact, that the Normans ‘employed the pointed arch in Sicily somewhat *before* it was used on the continent of Europe.’† But this question of priority does not affect the main question of

\* Which is *not* the case at Lisieux.

† The Saracenic ogive is found with rich adornments in the church of St Mark, 1070; pointed arches at Terracina, 1074; San Zeno (with cloister), 1123; St Bartholomew the Great (Smithfield), 1123; St Cross, 1136; and many other examples, of which many are enumerated by Mr Hope in his Essay. One very remarkable instance of a Saracenic pointed arch (nearly like that in St Mark), has not yet been noticed. It is found in the Romanesque cathedral of Tournay, probably of the eleventh century. Nor must it be forgotten, that the Romans (if Piranesi be correct) employed the pointed arch in construction.—See his Section of the Ponte Fabrizio (‘*Antichita Romane*,’ vol. iii. plate 19.)

the origin of the proper Gothic style. The Sicilian examples, though they may leave this point undetermined, do a great deal more. The structures of the 'Normans in Sicily' present us with an entirely new page in the annals of architecture. They offer combinations equally valuable to the artist and to the historian; they are equally interesting to the eye and to the mind; and it is upon these considerations that their importance depends.

Amongst the numerous points which the examples given by Mr Knight elucidate, it is shown, in the clearest manner, that Gothic architecture did *not* acquire its characteristics from the East. The 'Normans in Sicily' produced a style, which, as Knight describes it, 'was Saracenic in its arches, Roman in its pillars and capitals, Byzantine in its cupolas and mosaics, Norman and Greek in its enrichments.' But this was not Gothic. It was a combination leading to no result beyond that of splendour and magnificence. A nearer approach is found in the cathedral of Monreale, erected about 1186. Here are found pointed arches, as an integral portion of the system; but, as Mr Knight himself admits, 'nothing can less resemble the interior of Norman [*Gothic*] churches in the north than the interior of Monreale;' and, whilst the mosaics are in the hard and peculiar style of Byzantine art, the sculptures of the capitals and mouldings,—playful, delicate, and elaborate,—equal the finest specimens of Roman art. Generally speaking, the Sicilian structures, which approach nearest to Gothic, have many features in common to the same style, as it appears in the south of France;—as at Carpertras, Cavaillon, Aix, &c., where it is always allied to the Romanesque-imperial. But it is very important to remark, that in all these Sicilian specimens, the real Gothic arch is *never* found,—Mr Knight's plates most honestly displaying *not* the characteristic central joint but the excavated key-stone; nor did the Gothic style in Sicily, though afterwards introduced and reintroduced by the Angevine and Arragonese monarchs, ever prosper or flourish. It never possessed the distinguishing character of loftiness and elevation.

But what is the bearing of the premises upon the general history of Gothic architecture? Which of the conflicting systems do these Sicilian examples support or impugn? To which theory would an intelligent and unbiassed enquirer, investigating the question for the first time in his library, most willingly give his assent? There is no difficulty in the answer.—There is *one* writer alone who will satisfy him. Amongst the various theories respecting the origin of Gothic architecture, such an enquirer will find but one in which the *facts* presented by the Gothic structure present themselves in entire accordance with the hypo-

thesis. It is a theory complete in itself,—enabling you to establish, *à priori*, every successive form developed in the rise, the progress, and the decline of the Gothic style, even to its most minute peculiarities. There is not a shaft or a mullion, a crocket or a cusp, a ballustrade or a niche, a vault or an archery, an archivolt or a groin;—not a feature from the base of the door-way to the summit of the spire, which cannot be shown to be the necessary result of the principle assumed by the theory as the plastic origin. It is a theory which is never at fault, and never fails. You can give a reason for every portion of the construction; a consistent cause for every detail. The theory accounts equally for the plain and simple ‘embossed roof’ of Salisbury, and the interlaced and interwoven mouldings of Nuremberg or Ratisbon—for the dawn, the meridian, and the decay of architectural splendour. And yet it is perfectly certain that this theory, so consistent, so clear, so convincing—and our readers will readily collect, that we allude to the theory of Sir James Hall—is not true and never could be true; that it has not the slightest foundation; and that this most ingenious hypothesis is a baseless vision, created solely by vivid fancy and inventive talent.

The number of writers, at home and abroad, who have discussed the origin of Gothic architecture, and each of whom drives his own theory round his own park, is probably now not much less than a hundred. Mr Britton, in his very useful ‘Chronological History of Christian Architecture,’ published in 1826, enumerates sixty-six different theories. But his list is not by any means complete, even up to his own time. The Germans and French, who have since written on the subject, would alone nearly complete the century; so great has been the impulse given recently to these enquiries, and perhaps by no individual more effectively and usefully than by Mr Britton\* himself; and the subject has been discussed with much and varied research, industry, and ability. Yet, as far as we can judge, no one of these enquirers ever persuaded another to adopt his own opinion. In those who approximate the most to each other, there is some distinction, with or without a difference,—some qualification, some protest. Yet, however much our theorists have disagreed upon other points, they all coincide in considering Gothic architecture as a progressive developement from the circular style. Combinations of vaulting, adaptation of patterns, influences of climate—all these have been assigned as the causes which necessarily

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\* Mr Britton’s last work, his ‘Architectural Dictionary,’ fully sustains his character for zeal and industry.

transformed the more ancient Romanesque orders into a new and independent style, by a regular gradation. It has been considered as the natural consequence of tendencies, if we may so express ourselves, which inevitably conducted the 'architectural mind' of mediæval Europe to the excellencies of Gothic architecture, as their proper result. Combination giving rise to combination, adaptation grafted upon adaptation, idea naturally suggesting idea, until the spire of Strasburg was unfolded from the crypt or catacomb. Yet no one enquirer has established the succession of transitions, so as to satisfy his successor in the career of investigation. No two architectural antiquaries agree in the links out of which they forge their chain. All is perplexity, and contradiction, and confusion.

Is there not some deeply seated error in this mode of ratiocination? Can we rest satisfied with enquiries which have led to such unprofitable results? And, after all our pains, can we account for this transcendent production of human art in any better manner than by adopting the spirit, at least, of the paragraph with which Vasari opens his History of the sister art in mediæval Italy. 'Erano per l' infinito diluvio de' mali, ch' avevano cacciata al disotto ed affogata la misera Italia, non solamente rovinate quelle che veramente fabbriche chiamar si potevano, ma, quello che importava più, spento affatto tutto il numero degli artefici; quando, *come Dio volle*, nacque nella Città di Firenze, per dar i primi lumi all' arte della pittura, Giovanni, cognominato Cimabue.'

In the strictest and most accurate sense, in the same manner as the term 'invention' is applied to printing, or the epithet 'inventor' to Watt, was Gothic architecture an invention; and the first master who employed the style an inventor. Allowing, therefore, the full value to all the benefits and suggestions derived from forms and types then existing,—such, for example, as the outline of the pointed arch,—we believe that the only mode of accounting for the sudden appearance and rapid diffusion of the Gothic style—a style well defined as being 'entirely new, both in its essential principles and ornamental accessions,' is the supposition that some one complete building, exhibiting every characteristic of the fully developed Gothic style, was erected from the designs or conception of some one architect, none similar to it having existed before; and that this proto-Gothic structure became the prototype, or model, for all others in the same style, forcing itself amongst the circular forms until it entirely supplanted them.

This supposition is supported by the fullest analogy to the general history of inventions, both in science and in art. The



pile may have been long heaped up, but it does not take fire spontaneously. It waits till the spark is applied. How did the invention of printing take effect? As has been observed, it came forth like Minerva in full armour. In the *Psalter* of Fust, the art burst out into full maturity. The stamp, and the 'block book,' and the playing card, had been known for years and ages before the *Psalter* came forth; yet, considering printing in its essential and distinctive character, as the application of movable and fusible types, there was no intermediate stage between its non-existence as an art, and its existence. So, equally, the adaptation of hints from subsisting contrivances, and from the outlines of subsisting forms, is perfectly consistent with the instantaneous evolution of Gothic architecture under the one master's creative hand.

It may, perhaps, be objected that the existence of churches built in the so called 'transition styles,' is not compatible with the supposition that the Gothic style was invented *uno flatu*; and that the forms exhibited in these structures do display it gradually arising out of the Romanesque, until it assumed an original character; in conformity to the theories of architectural evolution. But by a process wholly analogous, Sir James Hall could cause York Minster, or the Dome of Freyburg to germinate out of his willow rods and osier twigs,—the basket expand into the cathedral; and the appearance of Gothic and Romanesque in the same structure, is much more satisfactorily explained by assuming, that they display the *partial* adoption of the new pattern or order, already *fully* exemplified in the proto-Gothic edifice, and which same new order was gradually making way and gaining favour, until it superseded the older order.

Some very convincing examples of these insertions of the Gothic style, which would unquestionably be claimed as transitions, if we had not full evidence to the contrary, may be adduced. Such, for instance, is the beautiful Liebfrauen Kirche at Treves, built from the ground between 1227 and 1243; and in which a Gothic style, as nearly as possible like that of the choir of Westminster Abbey, is concurrent with the same Romanesque, as is found in undoubted specimens of the *eleventh* century. The mouldings and details of the latter agree with the Gothic portion; and what, therefore, does it show? Not that the circular style was passing into the pointed style, but that the Master, being perfectly well acquainted with the Gothic style in its full developement, thought fit, either for the purpose of gratifying his own taste, or the fancy of the Bishop his employer, to retain the older style in certain portions of the edifice—such as the portals—adopting the new fashion in

the residue.\* In the Certosa of Pavia, precisely the same appearances occur. In this building, which, as is well known, was founded in 1395, the exterior of the nave and choir is in a style so nearly approaching to the Romanesque of the eleventh century (such as the duomo of Pisa), that were a geometrical elevation presented to the architectural antiquary, he would unquestionably pronounce it to be of that age; whilst, in the coeval interior, we have a splendid example of the decorated Gothic of Germany.

In such an edifice, we never dream of supposing that the fifteenth century was the era when the circular was passing into the pointed style. We ascribe the concurrence of the two styles, without hesitation, to the true cause. Both the styles were equally known to the architect. Both were already invented; and in the exercise of his taste or discretion, however guided, he chose to unite them in one edifice.

So, also, in the duomo of Como, erected in 1396, a splendid Romanesque portal appears as coeval with decorated Gothic windows. And we believe that almost all the anomalies which have so long perplexed the architectural antiquary, will be satisfactorily explained by the plain and simple supposition of the partial adoption of already invented styles, in which the Gothic or the Romanesque preponderated, just as the Master chose to select from either element. In the same manner as the Italian style mixed itself with the Gothic, in the reign of Elizabeth, so did the Gothic, at an earlier period, mix itself with the Romanesque. And those who argue that the circular arch *produced* the Gothic arch, might just as well maintain that the Corinthian and composite columns in the tower of the schools at Oxford were *produced* by the mullions of the Tudor age.

Where did the Gothic style originate? An unbroken tradition has, in Italy, ascribed the *architettura Tudesca* to the nation whose name it bears; and the tradition, so far as relates to that country, is confirmed by the fact, that almost every edifice in which the Gothic appears with its proper characteristics, is known to be the production of a German architect. The earliest example of such a structure is found in the magnificent temple of Assisi: amongst the latest is the stupendous duomo of Milan. In France, the finest and the most perfect specimens of Gothic are found in the provinces bordering upon the Empire; and, as far as dates can guide

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\* We strongly suspect that parallel examples may be found in England;—the college gate at Bristol is one of them. An attentive examination of this building will hardly lead to any doubt but that the ‘Norman’ and ‘Gothic’ portions are equally of the Tudor age.

us, we consider that no country has so strong a claim as Germany to the honour of being the soil upon which the *proto-Gothic* edifice arose, and from whence the type was diffused throughout Western Christendom.\*

The *proto-Gothic*, however, was speedily succeeded by the creation of other Gothic schools. We use this term, because we have no hesitation in believing that the same process took place in the middle ages, which has taken place in all other ages. Some one inventor arises, whose talent stamps his productions with a character of originality, which fascinates inferior minds into the necessity of following him as their leader. It is not indispensable that beauty or good taste should be the concomitants of the productions of such a master. He may be extravagant or redundant, wild or confused; but the worst originator possesses an influence which the best copyist can never attain. In no productions of the human intellect is this pre-eminence more forcible than in the *æsthetic arts*; and, in the same manner as Palladio or Titian created schools, which radiated from them as centres, so, according to this invariable analogy, may we be certain that each style of Gothic, possessing a distinctive and original character, was the invention of a master who set the pattern which others followed; until he was supplanted by another, gifted with the same creative powers.

In some cases, as in Italy, we know that these schools were founded by direct invitations sent to the German masters. Rarely, however, does the penury of ancient archives allow us to obtain such distinct information; and we are more generally left to conjecture. Political relations may sometimes have aided these transmissions.

All the features of the English decorated style (first exemplified in that magnificent monument, the cathedral of Cologne) exist in the nave of the church of St Catharine at Oppenheim, — a building begun in 1269, by Richard, King of the Romans, the brother of our Henry III., whose armorial bearings are seen in the painted glass which fills the geometric tracery of the windows. Now, however nominal may have been the authority possessed by Richard in the Empire, his connexion with the Germans was most close and intimate. All the Charters, Letters, and Missives issued in the name of the King of the Romans,

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\* The claims of Germany, first, we believe, asserted by Wiebeking of Munich, have been advocated with great ability by Mr Hope (Essay xxxix). Professor Whewell adopts the same opinion. We refer our readers to these works for an examination of the grounds upon which the opinion is formed.

whilst residing in England,—even those relating to his private affairs, of which there are several in our archives,—display the handwriting of German scribes, and the peculiarities of the German Chancery. This evidence of his being surrounded by a German suite is in full conformity with what we know of Richard's history. The chroniclers are loud in their complaints of the bounties bestowed by him upon his foreign followers. And if, in England, we find a plain and evident repetition of the Rhenane architectural prototype, executed at a period sufficiently posterior in point of time to prove that it is a copy, and yet not so far removed as to exceed the limits of a generation, we may, without difficulty admit, that some Tudesque master, visiting a kinsman in England, or attracted by the silver sounds of the English Sterlings, furnished the model for the portions of the Minsters of Ely or York, in which we observe all the characteristics of the German decorated style.\*

Furthermore, the widely-extended establishments of the Hanseatic league, would furnish the means of introducing many a professor of Teutonic art to general notice; but the equable diffusion of each new order or style must have been effected, in each country, by some permanent and pervading branch of social organization. Was this medium of diffusion to be found in the ecclesiastical or civil institutions? Considering that the monasteries were the great academies of art and science in the middle ages, it is not improbable but that distinctive styles or modes of architecture may have been adopted by particular Monastic Orders, or *Religions*, as they are termed in the vocabulary of the middle ages. Such, unquestionably, was the usage of the Templar and the Jesuit, whose churches always exhibit a uniform plan and feeling. Whether similar instances of the ascription of marked style to any other Order can be now discerned, is a question worthy of examination; but it may be sufficient to observe, that we have suspected it in the cases both of the Franciscan and Austin friars.

We adopt, however, with more certainty, the opinion long since suggested by Wren, that the Societies of Freemasons became the means of spreading the knowledge, as well as the practice,

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\* Professor Müller of Darmstadt has given the details of Oppenheim in a recent publication of great splendour. Mr Whewell's observations upon the buildings belonging to this class, which he denominates the 'complete Gothic style in Germany,' are worthy of much attention. For its characteristics, he says that it is 'almost sufficient to refer to Mr Rickman's account of the decorated English, and to the English specimens which exemplify that style of architecture.'

of Gothic architecture throughout the middle ages. Whether any of their original lodges are, as they themselves assert, founded upon the Roman colleges, or whether they were affiliated upon similar institutions in the middle ages, is open to much conjecture; yet we cannot deny but that their symbols retain the impress of high antiquity. Many of them can be traced in the Roman sepulchre, or the quarter gem; and although it may be hard to admit that the craftsmen of York are the unbroken successors of the architects sent to Britain by Claudius, yet they might perhaps more truly assert, that they derived their reorganization from members of the brotherhood, travelling into this island at more recent periods, from Germany or Gaul.

Confused, ignorant, and even absurd, in the traditional 'Charges,'\* which unfolded to the masonic aspirant, the incipient *lodyenna*; the dignity of his art, the connexion assumed between masonry and the severe sciences, bear a remarkable resemblance to the Canons of Vitruvius; and the astral hieroglyphics, so conspicuous in various portions of the mediæval structures, furnish a very remarkable comment upon the Vitruvian precepts of combining astrological and architectural science. The signs of the zodiac, the seats and configurations of the planets, the phases of the moon, are found in the recesses of the portal,†—in the gem-like orb—high in the vaulted roof—in the pavement of the choir. When to these are to be added the symbols of the winds and elements, and the angelic host, we may indeed read, as in hieroglyphics, the words of praise proceeding from all the works of creation. Others are of more difficult exposition. The

\* From the language of these Charges, they are, in the existing texts at least, as old as the early part of the fifteenth century. The one which we have before us has the following attestation prefixed:— This is a very ancient record of masonry, which was copied for me by Mr Reid, Secretary to the Grand Lodge, 1728. Lord Coleraine, Grand-Master; Alexander Clarke, Deputy; Nat. Blakesby, Js. Highmore, Grand-Wardens.

† Amiens and Notre Dame furnish exceedingly fine examples of portals enriched with astronomical symbols. In edifices of more recent date, those of San Zeno (Verona), St Margaret's, York, and Malmesbury, may be particularly instanced. At Piacenza are added the winds, the elements, and the angels. The cathedral of Lausanne exhibits a very fine circular or marigold window, in the south transept, filled with painted glass, representing the signs and planets; and its counterpart may be found in the cathedral of Soissons. And it is likely that all such circular windows were originally planned for the purpose of receiving similar representations. Fragments of astronomical pavements may be seen at Westminster Abbey and at Canterbury.

griffin accompanied by the wheel, or grasping the serpent—the lion rending the dragon—or the warrior,\* may be paralleled, if not explained, by the gems of the bastidias, or the symbols of the alchemist. If any mysterious doctrine is, or has been at any period really taught in the masonic lodge, it may, as in the case of the Templars, be deemed an extraneous ingraftment; for which the practice of secret initiation, anciently common to many other similar bodies, prepared the way. Yet it is remarkable that the *mythos* of the disciple slain by the jealousy of his master, whose skill he rivalled or excelled, and presented as the basis of the modern Masonic system, retains a local habitation at York and at Lincoln, at Rosslyn† and at Rouen; whilst the window or the column which tradition assigns as the cause of the rivalry, displays the pentalfa, or exhibits the adornment by which they are rendered the acknowledged tokens of the fraternity.

Rarely would it be necessary, in the middle ages, to commit to writing any proceedings connected with such an operative community. In England, the lodges, at an early period, were proscribed by the legislature. The statute, 3 Hen. VI. c. I. prohibiting their assemblies, and thus bearing record, upon the Parliamentary Roll, of the importance which they possessed, would for a time compel them to conceal themselves in a deeper cloud;‡ and the scanty fragments of our ancient monastic archives have, as yet, been only imperfectly examined. Under these circumstances, instead of being surprised at the deficiency of evidence, it is, in truth, remarkable that such distinct and satisfactory evidence of the labours of the Freemasons should have been preserved. The constitutions of the Metropolitan Lodge of Strasburg, convey minute and accurate details of the organization of the community, whose members carried the art to its highest degree of perfection.§ This document enables us to

\* As at Pavia, Verona, or Padua.

† The Earls of Rosslyn being hereditary Grand-Masters of the Scottish Freemasons, renders this tradition the more weighty and remarkable.

‡ It appears from this statute, that the masonic chapters or congregations were held yearly. They were general assemblies, like those of the German masons, and *called* together by certain members possessing authority; and, it is enacted, ‘that they that cause such chapters and congregations to be assembled and holden, if they be thereof convict, shall be judged for felons, and that all the *other* masons that come to such chapters and congregations, be punished by imprisonment of their bodies, and make fine and ransom at the king’s will.’

§ In a solemn convention of the lodges of Suabia, Bavaria, Fran-

speak with entire certainty respecting the laws and regulations under which Erwin of Steinbach directed the operations, which, carried on from generation to generation in the 'dark ages,' our 'age of civilisation' has abandoned in despair. As to our own country, in despite of the statute, the Abbot, nay, the Sovereign retained Freemasons as the architects of their proudest structures.\* The fabrics raised by their skill still subsist; and it was not, perhaps, until the seventeenth century, that their operative character was wholly lost.

Those who have hitherto attributed Gothic architecture to the Freemasons, have considered the style as 'the offspring of 'a congregated body;' and, deeming the members of the fraternity to have acted in concert, have attempted to show them working and calculating as a fraternity, for the purpose of arriving at the definite results which they afterwards so gloriously attained,—an hypothesis which will become perfectly credible, when any scientific society shall have discovered a system of gravitation; any literary academy shall have composed a 'Paradise Lost;' or any academy of the fine arts shall have painted a 'Transfiguration.' But we believe that the fraternity

conia, Saxony, and Thuringia, held at Ratisbon, 1489, the masons acknowledged the lodge of Cologne as the grand lodge of Germany—a recognition, which, in 1498, was ratified and confirmed by the Emperor Maximilian. The constitutions of the German Freemasons, published by Huldman (Arau, 5819), under the title of 'Die drey ältesten Geschichtlichen Denkmale der Teutschen Freymaurer bruderschaft.' The earliest is dated in 1464. It is remarkable, that they employ the same terminology as the English masons, calling their assembly the 'chapter.'

\* The palace of Hampton Court was thus erected by the craft, as appears from the very curious accounts of the expenses of the fabric, extant amongst the public records in London. The following items are extracted from the entries of the works performed between the 26th February, 27 Hen. VIII., to the 25th March, then next ensuing.

#### FREEMASONS.

<i>Master</i> , at 12d. the day, John Molton,	-	-	-	6s.
<i>Warden</i> , at 5s. the week, William Reynolds,	-	-	-	20s.
<i>Setters</i> , at 3s. 8d. the week, Nicholas Syworth,	-	-	-	13s. 8d.
(and for three others).				
<i>Lodgemen</i> , at 3s. 4d. the week, Richard Watchet,	-	-	-	13s. 4d.
(and twenty-eight others).				

The clerk of the works received 8d. per diem, and his writing clerk 6d each. The accounts contain much valuable information respecting the building, and would be of great use to the industrious topographer.

of Freemasons just performed the very useful and important duties properly belonging to the Society or the Academy. They assisted in the spread of knowledge, and in bestowing upon talent the countenance and protection of station and established power. By means of the masonic organization, Gothic architecture, the creation of the Proto-Goth, was transmitted from land to land. Received in some countries, as in Italy, tardily and reluctantly, it never became an enchorial art; in others, adopted with vigour, the German brother was admitted with frankness and affection.

As other Gothic inventors,—other *poets* arose,—their patterns and inventions more or less beautiful, were accepted or neglected, until the period when the human mind receiving a new impulse and a new direction, Gothic art passed away with the state of society by which it had been sustained. The stream ceased to flow; the roots lost their nourishment; the tree withered, decayed, and fell.

Much more might be said on the subject of masonry. The connexion between the operative masons and those whom, without disrespect, we must term a convivial society of good fellows—who, in the reign of Queen Anne, met at the ‘Goose and Grid-iron, in St Paul his Churchyard’—appears to have been finally dissolved about the beginning of the 18th century.\* It is rather curious to observe, that after the general abandonment of Gothic architecture, there was still a succession of true and *living* Gothic art. The Capuchin Church at Ghent (1632), and the cloister of St Peter’s in the same city (1636), are both in the regular Gothic style.† At Oxford and Cambridge, many of the edifices erected in the reigns of James I. and Charles I., display real Gothic feeling and sentiment—Gothic architecture was still alive, though in its last stage of decrepitude; and the very remarkable door-way in the Beauchamp Chapel at Warwick, executed towards the commencement of the eighteenth century, by a common mason—the last representative of the craft—perhaps exhibits the last vestige of the traditional inheritance.

\* The theoretical and mystic, for we dare not say, ancient Freemasons, separated from the Worshipful Company of Masons and Citizens of London, about the period above mentioned. It appears from an inventory of the contents of the chest of the London Company that, not very long since, it contained ‘A Book, wrote on parchment, and bound or sticht in parchment, containing an 113 annals of the antiquity, rise, and progress of the art and mystery of Masonry.’ But this document is now *not* to be found.

† *Messager des Sciences et des Arts de la Belgique*, 1836, p. 126.



ART. IV.—*An Answer to the Misrepresentations contained in an Article on the Life of Clarendon in No. CXXIV. of the Quarterly Review.* By T. H. LISTER, Esq. 8vo. London : 1839.

WE shall not enter upon the general merits or demerits of Lord Clarendon. After having been unduly exalted for more than a century, his reputation as a statesman, and his credit as an historian, have been of late years assailed by criticisms of no slight or inconsiderable weight. When we saw Mr Lister's work first announced, we looked forward, not without apprehension, to an elaborate vindication of Lord Clarendon from the numerous attacks that have been accumulating against him. But, when we opened the book, we were agreeably surprised to find that Mr Lister had adopted a more judicious and more sensible plan. Instead of making his *Life of Clarendon* a vehicle for controversy—instead of combating and contending with the numberless authors who have questioned the soundness of Lord Clarendon's views as a constitutional lawyer—impeached the wisdom and honesty of his policy as a statesman—disputed the truth and fidelity of his statements as an historian—and even cast doubts on his honour and integrity as a man—we were pleased to see that Mr Lister, without engaging in altercation or controversy with others, had determined to vindicate the fame of Lord Clarendon, where he had been unjustly attacked—to censure his conduct where he was deserving of censure—and, where his faults and errors had been exaggerated and overrated by his enemies, to state whatever circumstances could be urged to extenuate or account for them.

This course Mr Lister has steadily pursued throughout his work, though, perhaps, not without a natural and not discreditable bias in favour of Lord Clarendon. One of the most frequent charges, for instance, against the noble historian, has been his partiality to the Royalist party. Mr Lister does not deny the accusation, but he shows how unreasonably it has been made;—by producing proofs from Clarendon's writings and correspondence, that when he undertook his historical work, it was not intended to be a full and impartial *History* of his own times, but an *Apology* for the Royalists,—the *ex parte* statement of an advocate for his client. Another more serious defect of his book is inaccuracy in his account of the events he relates; and this Mr Lister endeavours to palliate and explain, by showing that it proceeds not from an intention to mislead, but from the too great confidence he reposed in his memory; and from the indifference that, in com-

mon with other great historians, he affected for minute accuracy in trifles, which led to negligence in matters of higher importance. We wish Mr Lister could have added, that in his reflections, and apparently casual observations on the subordinate persons who acted with him in the same cause, Lord Clarendon had not suffered his pen to be often directed, and sometimes envenomed by wounded vanity, private pique, and personal resentment.

The candour and impartiality of Mr Lister have provoked the indignation of the idolatrous worshippers of Clarendon. They who have slumbered in quiet repose for years under the sharp and stinging lash of Lord Ashburnham, have been roused to anger by the measured praise and moderate censure of Mr Lister. The Tory Lord has been suffered, without challenge or reply, to decry the character of Lord Clarendon in every possible relation of life. The Whig Commoner has been vilified and abused for exposing some inaccuracies in his history which had not before been noticed; and for censuring (though more gently than it deserved) his real or affected want of natural affection as a parent, or,—what is worse,—his sacrificing, or pretending a wish to sacrifice, the honour and happiness of his child to the fears and interested calculations of his ambition.

To the personalities and vulgar insinuations levelled against him, Mr Lister has replied with suitable disdain; and to the specific criticisms on his book, he has given answers as full and satisfactory as the trivial and unimportant nature of the objections merited or required. We should, indeed, have thought it unnecessary to notice this controversy at all, if we had not found ourselves involved in it. In a review we published some years ago of Lord Ashburnham's work,\* we happened to expose and bring to light, for the first time, a monstrous fabrication of Lord Clarendon, which had till then escaped detection. Mr Lister has admitted our conclusions; though, with his usual tenderness for the noble author, he has abtained from the expressions which, in the first burst of our indignation, we had applied to him. The reviewer of Mr Lister, in the *Quarterly Review*, undertakes to answer us both, and attempts a defence of Clarendon, which seems to us weak and untenable. Mr Lister has demolished entirely the frail edifice set up by our adversary; but, as there were other matters that had equal claims on his attention, he has not entered fully into the subject. Were it a mere dispute on some isolated point between two Reviewers, we should not pursue it further; but, as it leads to the examination of a great histori-

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\* Edinburgh Review, No. CIII.

cal question, in which our countrymen have, in our opinion, been foully traduced, and by none in less measured terms than by the *Quarterly Reviewer*, we trust we shall be excused for stating at length what we have collected, and what has occurred to us in vindication of their conduct.

Clarendon pretends that Montrevil's engagement to the King was prepared in the Scots camp at Newark; seen and approved of by the men of highest trust in their army; and afterwards sent to Oxford. *This is not the fact.* The engagement published as Montrevil's, in Clarendon's history, was written at Oxford before Montrevil's departure to the Scottish camp. This is placed beyond a doubt by the document itself, which is dated, signed, and sealed, on the 1st of April; two days before Montrevil left Oxford. That it was written and signed at Oxford is confirmed by Ashburnham, who states that he and Secretary Nicholas, who were both with the King at Oxford, had witnessed the signature of Montrevil;\* and, if further corroboration were necessary, the counterpart of the engagement—which was a promise from the King that none should accompany him to the Scottish army besides his two nephews and Ashburnham—is attested by Montrevil, as a document delivered to him by the King at Oxford, on the 1st of April, 1646. The circumstantial story told by Clarendon, that Montrevil, finding the Scots before Newark more favourably disposed towards the King than their countrymen in London, prepared the engagement after his arrival in their camp,—submitted it to the leaders of their army, and received it back from them with their approbation of its contents before he sent it to the King at Oxford,—is an invention of the noble historian, *destitute of truth*; and at variance with the documents from which he drew, or professed to draw, the materials of his history.

There is no way of escaping from this conclusion but by the bold hypothesis, that when Clarendon speaks of Montrevil's engagement, and of the negotiations that led to it, he means something different from the paper published as that engagement in his history; and, accordingly, the *Quarterly Reviewer* of Mr Lister's 'Life of Clarendon,' in his anxiety to vindicate the noble author from this foul stain on his honour and truth, has suggested that the paper of which Clarendon has given so circumstantial an account, was not the engagement published in his history, but something else; and having found among the Clarendon papers, which relate to this transaction, a scrap addressed to the King from London,

\* Ashburnham's Narrative, 83.

containing an assurance from the Scotch deputies there, that they will not fail to send their Horse to meet his Majesty, as soon as they know the day of his intended departure from Oxford; and that they will receive him in their army as had been promised, and will not force his conscience; he fastens with eagerness on this document, and asks whether it may not have been the engagement intended by Clarendon for insertion in his History; and whether the engagement, which actually appears there, has not been inserted by the mistake of his first editors, who filled up the blank he had left in his MS. with a wrong paper. But this desperate conjecture, for which there is not a shadow of reason, except the necessity of devising some excuse for Clarendon, will not bear examination. In the *first* place, the engagement, the progress and completion of which are so minutely described by Clarendon, was to have been signed by Montrevil: but the proposed substitute is not signed by him. *Secondly*, not only is it not signed by him, but it manifestly was *not even written by him*. It is dated *à Londres, 16 Avril*; but on the 16th April, Montrevil was in the Scotch camp before Newark, and not in London. It makes mention of Montrevil twice in the third person, and then proceeds to say, '*J'ay ordres des députés d'Ecosse,*' &c. plainly showing, whoever wrote it, that he was a different person from Montrevil. As it is in French, we may presume it was written by a Frenchman; and as Sabran, who was at that time the Resident from France in England, had been in communication with Montrevil before the latter left London, we think it probable that the writer was Sabran. The purport of the note was to explain why difficulties had been made at Newark to the plan concerted in London, of sending forward a detachment of Horse from the Scotch camp to protect the King's escape from Oxford, and to assure his Majesty that these difficulties had been surmounted; and that he should be received in the army as had been promised, and no force done to his conscience. Not only was this note neither signed, nor written by Montrevil, but there is reason to believe that *it was never seen by him*. It is dated from London on the 16th of April; and on the 24th of the same month we have a letter from Secretary Nicholas to Montrevil, who was then at Newark, communicating to him the most important parts of it, as intimations received from London; which, most assuredly, the secretary would not have done if the note in its way from London to Oxford had passed through the hands of Montrevil. In the *third* place, we cannot allow that any mistake has, in this respect, been committed by Clarendon's editors; because we find, in Ashburnham's narrative, that the engagement they have printed is the one appealed to by the King at Newcastle, as the ground on

which he went to the Scottish army. And, *fourthly*, what still more unequivocally proves that the scrap selected and ostentatiously brought forward by the Reviewer, is not the paper intended by Clarendon for insertion in the blank space left in his MS., is the fact, that it is actually printed (the material parts of it, at least) in the very next page of his History (as remarked by Mr Lister in his reply); and cannot, therefore, have been intended for insertion in the preceding page.

That this last circumstance should have escaped the Reviewer would have surprised us, if, amidst the pretensions he makes to scrupulous exactness and minute research, we had not met with several other instances of his extreme carelessness, and slovenly inattention, to the books that lay before him. In relating a message from the King to the Scotch Commissioners in London, he substitutes the words *treat on* for *meet us*, which makes the passage nonsense. In copying from Hudson's examination the assurances said to have been given to Montrevil by the Scots, he makes them engage to *receive* the King *on* his person, instead of *secure* the King *in* his person. In giving an account of the King's journey from Oxford to the Scottish camp before Newark, he tells us that Downham, in Norfolk, was the place where it was resolved to send Hudson to Montrevil, though Hudson himself, from whom his account is taken, has stated that he quitted the King and Ashburnham at Graveley, in Hertfordshire, before they reached Baldock. A very gross mistake in the days of the month, which runs through the greater part of Hudson's examination, as published by Seck, has escaped his notice; though he has thought it worth his while, on the strength of it, to hazard a smart remark at the expense of 'Lister and Co.'\* If he will try his hand on no very difficult calculation—or what may be surer and easier for him—consult the journals of either House for 1646, he will find that, in that year, the 3d, and not the 2d of April, fell on a Friday.

But these are innocent blunders, in comparison with the freedom he has used with a letter of Montrevil, where, by the slight substitution of one tense for another, he has contrived that the Frenchman should say, in English, the reverse of what he had said in French, and express hopes where he was bewailing disappointments. In Montrevil's letter of the 16th of April, after repeating what he had written in a former letter of the unfavourable disposition he had found in the Scotch Commissioners with the army, 'he adds,' says the Reviewer, 'that he had *now* hopes that,

‘in consequence of an interview which had taken place in the previous week at Royston, between the Chancellor of Scotland and the Earl of Dunfermline and ———, *all that his Majesty had desired, and that I had promised him*, should be executed.’ Mr Lister calls this ‘a gross misrepresentation and a false trans-  
‘lation’ of the original, nor can we deny the justness of his censure. Instead of saying that he had *now* some hopes, Montrevil tells the King that he *had had* such hopes; and then relates, in doleful terms, to what degree these hopes had been disappointed. The letter is curious. It shows what was the footing on which the King went to the Scottish army, what were the expectations held out to him, and how little ground the Royalists have to complain that promises had been made to him which were not afterwards fulfilled. We shall, therefore, translate at length, without omission, all the parts of the letter that are of importance. It is dated *la nuit du 15 ou 16 d’Avril, 1646*, and is addressed, as usual, to Secretary Nicholas.

‘The first person I sent to you at Oxford came back two days ago; after making his escape from those who had detained him, so that you cannot have been informed of the reception they gave me here (nor) of the strict methods they took to deprive me of all means of warning the King not to leave Oxford. I *was* very glad that you had not received that letter, because it must have deterred his Majesty from all thoughts of coming to this place, for I *had* some thoughts that things might mend, and that in consequence of the interview of the Chancellor of Scotland, the Earl of Dunfermline, and ———, at Royston, all his Majesty desired, and *that I had promised him*, might have been done. But after much delay, they have at length informed me from the committee, which has been sitting all day, that they will despatch a strong party to Burton-on-Trent to meet his Majesty, but that they can go no further, though they will send forward some straggling horse to Bosworth, which is half-way from Burton to Harborough. The King must send word on what day he will expect them, and they will not fail to be there. When they meet his Majesty, he must say he is on his way to Scotland, in which case they will allow him to go to their army, instead of proceeding farther. I am not sure that this will be agreeable to his Majesty, but they say it cannot be otherwise without having a quarrel with the English Parliament, and making it impossible for them to keep the King in their quarters. As to the other conditions, see to what they are reduced! They will have no junction with any forces that have served under the King, and (what is unreasonable) they will not even allow the cavalry that escorts him to accompany him to their army. They have at length consented that the two Princes and Ashburnham may follow the King, with such of his other servants as are not excepted from pardon; and that these three persons should remain with him till demanded by the English Parliament, in which case they cannot refuse to deliver them up, but they will give them opportunities to escape beforehand out of the kingdom. They cannot allow

the Marquess of Montrose to be sent as ambassador to France, but they have no objection to his going any where else. *And with regard to the Presbyterian government, they desire his Majesty to agree with them as soon as he can.* Such is the account they make here of the engagement of the King, my master, and of the promises I had from their party in London; and this is the utmost I have been able to extract from them after much debating, for what they said at first was much less favourable. I shall say no more, except that his Majesty, yourself, and Mr Ashburnham, know the Scotch better than I do. I state things plainly, as I am bound to do, and have not the presumption to offer any advice to his Majesty. If there be any quarter where better conditions can be obtained, I think this ought not to be thought of. But if every thing is desperate elsewhere, and no security can be obtained for his Majesty and his servants from the English Parliament, I am confident still, after all that has happened, that he and his servants, and he in particular, will be in perfect safety here, though with less satisfaction, perhaps, than he could desire. And I shall not fail, on my part, to press them to the performance of all I have promised to his Majesty, as I should not have failed to do before the change I found here.

There is one passage in this letter which requires a commentary. From the first overtures, for a private and separate accommodation between the King and his Scottish subjects, they had uniformly insisted on his consent to the establishment of the Presbyterian church government in England, to which the King had given at first a peremptory refusal; offering to them and to the English Presbyterians nothing more than ‘the free exercise of the practice of their religion in England where-soever they could obtain consent thereunto.’\* Latterly, indeed, he had promised to give his subjects ‘full contentment in church government as soon as he arrived in London, provided they desired nothing that was against his conscience.’ But the Scots, not content with this illusory engagement, told him plainly (as appears by this letter), through Montrevil, that if he came to their army, he must be prepared to give his assent to their Presbyterian government as speedily as he could. He had his choice, whether to seek another asylum, or to comply with their wishes; but having gone to their camp, after this intimation of their demands, he had no right afterwards to complain of their refusal to espouse his cause, unless he complied with the conditions on which their assistance had been proffered.

Within a few hours after receiving the preceding letter, Montrevil sent a second note to the King, and probably by the same messenger, informing his Majesty that he had made another

\* Clarendon State Papers, II. 210.

fruitless attempt to induce the Scots to advance beyond Burton, and concluding thus :—‘ If your Majesty can do better with the ‘ others, I desire nothing in the world but your advantage ; but ‘ if your affairs are in the state represented by the person who ‘ will convey to you this letter’ (Hudson probably), ‘ I repeat ‘ once more, that you will be here with less satisfaction (perhaps) ‘ than I hoped for, but with as much safety. I have pressed ‘ them to send fresh horses to Bosworth. I have two horses that ‘ are pretty good ones. I shall send them, one of them at least, ‘ which is quite well, and the other if sufficiently recovered.’

To understand why these precautions were thought necessary for the personal safety of the King, it must be remembered, that, in order to arrive at the Scotch army before Newark, it was necessary for him to pass through the Parliamentary posts between Oxford and Newark—that, according to the plan originally concocted with the Scotch Commissioners in London, it had been settled, that he should force his way with a body of cavalry from Oxford to Harborough, and that he should there be met by a body of Scottish horse to conduct him to their camp before Newark—that when this plan was communicated to the Scotch Commissioners with the army, they objected to the advance of any part of their forces ; and that it was only after the meeting at Royston that they consented to send a detachment of troops to Burton-on-Trent, and from thence to push forward a few straggling horsemen to Bosworth. It became necessary, therefore, that the King should be well mounted in the latter part of his journey ; lest, after the alarm had been given of his flight, and before he had joined the Scots at Burton, his escort should be attacked by a superior force. Ultimately, he escaped from Oxford in disguise, having been informed by Hudson, who had come recently from Newark, that the Parliamentary posts around Oxford were too strong to be forced by his new raised and undisciplined levies.

Before he took that step, however, he had another letter from Montrevil. It is dated on the 20th of April, and was the last communication he received at Oxford from that gentleman. In this letter, Montrevil informs Secretary Nicholas, that the Scots assure him they will do more than they venture to promise ; but he cautions the King not to expect more from them than he sends him word. Their troops, he adds, have begun to defile towards Burton ; and as it is of great importance to them that the King should not fall into the hands of the English, he is convinced they will do all they can to prevent it.

It is plain, from this correspondence, that the Scots made no promises to the King which they did not fulfil. They engaged



to assist him in his escape from Oxford—to protect his person, which was placed in danger by the votes of the two houses, in case he was found within their quarters—to treat him with honour and respect, and not impose force on his conscience—to admit into their camp three of his servants, who were excepted by Parliament; and, if the surrender of these persons was demanded, to facilitate their escape from the kingdom. All this they performed, and more they refused to promise, unless the King gave his consent to the establishment of the Presbyterian Church in England. This condition might be unreasonable, and so it appeared to the King, but it was proposed in plain, unequivocal language, as the price that must be paid for their assistance, and it was optional with his Majesty to accept it or not. Instead of accepting, he endeavoured to elude such a promise by vague assurances that, if his conscience could be satisfied, he would consent to their Presbyterian government. The Scots were not deceived by these professions, which we know to have been insincere; for, at the very time he was making them, he was courting the Independents, and assuring their leaders that, if Presbytery was insisted on, he was ready to join them with all his power ‘in rooting out of the kingdom that tyrannical government.’\* Affairs were in this state, when, alarmed by the advance of Fairfax from the west, and justly apprehensive of the consequences of undergoing a siege in Oxford, he determined, after vain experiments on the fidelity of Ireton, Rainsborough, and Fleetwood, to leave that city in disguise; uncertain as yet what course to take. He appears to have hesitated—whether to elude the Parliamentary posts, and seek shelter and concealment in the city—or to make his escape by sea—or to throw himself on the protection of the Scots. It must have been this uncertainty of purpose that made him approach the city, and then turn off to St Albans, and next day take the road to Norfolk, instead of continuing his course to Burton, where the Scots were awaiting him. Disappointed in finding means of escape by sea, and informed that the news of his flight from Oxford, in company with Ashburnham and Hudson, had reached Norfolk, he repaired, with reluctance, to the Scottish camp before Newark. ‘If he sought an asylum in their army,’ says Lingard, ‘it was not from hope of succour, but from necessity and despair.’

In opposition to the evidence furnished by the persons actually employed in negotiating with the Scots, we have had adduced,

with no small parade, the disclosures of Hudson, who, with Ashburnham, accompanied the King in his flight from Oxford. Hudson appears to have been an ardent and even fanatical Royalist. At the breaking out of the Civil War, he was a beneficed clergyman in Liffcolnshire, but, quitting his vocation and his flock, like the *Cura Merino*, and others of his cloth, in similar situations, he went 'a colonelling;' and becoming Scoutmaster-general of the Marquis of Newcastle's army, he acquired a perfect knowledge of all the bye-roads and passes in the northern parts.\* While Montrevil was in the Scottish camp before Newark, Hudson made several journeys between Newark and Oxford or Woodstock; and it was by his advice that the King made his escape in disguise, instead of attempting to force his way through the Parliamentary posts and garrisons; as had been at first intended. When the King and Ashburnham finally decided on proceeding to Norfolk, Hudson was dispatched from Hertfordshire to Newark; and, in his examination before a committee of Parliament, when arrested in his way to France, he pretends that Montrevil, after consulting with the leaders of the Scottish army, assured him, in their name, that if the King would trust himself in their hands, they would secure him in his person and honour, and press him to do nothing contrary to his conscience—that Ashburnham and Hudson should be protected—and if the Parliament refused, on a message from the King, to restore him to his rights and prerogatives, they (the Scots) would declare for him, and take all his friends into their protection. And, if the Parliament did condescend to restore the King, the Scots should be a means that not above four of his party should suffer banishment, and none at all death.†

This assurance the Scots refused to give under their hands, but Montrevil committed the particulars to writing, and sent them by Hudson to the King, who thereupon repaired to the Scottish camp. Such is the story told. We confess we have no faith in it. For, in the *first* place, no such paper as the one described by Hudson was ever produced, though its importance was such that it would be too great a tax on our credulity to believe that it could have been either lost or destroyed. When Montrevil's engagement, a far less valuable document, was returned to him, an attested copy of it was preserved. In the *second* place, Montrevil, in no part of his correspondence with his own court, amidst the most indignant complaints and bit-

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\* Peck's 'Desiderata Curiosa,' Lib. ix. p. 6, &c.

† Ib. Lib. ix. p. 22.

ter insinuations against the Scotch, ever pretends to have received any such assurance from them at Newark. In the *third* place, Ashburnham, in his account of the escape from Oxford, which was written, he assures us, while things were fresh in his memory, makes no mention of any message or assurance brought by Hudson; though, had it existed, it would have been a complete justification of his own conduct on taking the King to Newark. In the *fourth* place, Hudson, though called by the King his *plain-dealing chaplain*, had been acting as a spy, passing under different names, availing himself of false passports, and must, in these situations, have been habituated to deviations from truth, which renders his testimony of little value, when improbable in itself and unsupported by other evidence. It must also be remembered that, when Hudson underwent his examination before a Committee of Parliament, he was professing violent hatred to the Scots; and pretending to have undertaken his journey to France in order to engage the Queen on the side of the English. On the whole, we think it probable that Montrevil may have communicated to Hudson on this occasion the substance of the engagement he had left with the King at Oxford, of which Hudson made a copy or abstract for his own satisfaction; but, that Montrevil obtained from the Scots at this critical moment, when the King had no resource but in their protection, assurances which he had not been able to extract from them before;—and that he should never have alluded afterwards to such diplomatic address, is more than we can credit.

Much stress has been laid on the messages sent by the King to the Scotch Commissioners in London, after the arrival of Montrevil at Oxford; \* which proves, it is said, that the negotiations begun by that gentleman in London, were continued during his stay at Oxford; and, while it is admitted that no answers to these messages have been preserved, it is inferred, from the modifications introduced into the King's demand of protection for his followers, and from the order he entrusted to Montrevil for the surrender of Newark, that these replies must have been satisfactory. We are inclined to think these conjectures are not entirely without foundation; that answers were returned from London,—the note we have ascribed to Sabran being one of them; that it may have been at this time that Lauderdale dissuaded the King from throwing himself into the hands of the Scots, unless he was prepared to 'yield to their demands about religion;' †

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\* Clarendon State Papers, II., 218, 219.

† Burnet's *Hamiltons*, 272.

that from more sanguine friends he may have received advice more consonant to his wishes ; that the written promises, alluded to by Montrevil in his correspondence with Brienne, may have been then obtained, which the King threatened, at Newcastle, to publish, but which Sir Robert Murray persuaded him to suppress ; because the publication could have no other effect than to give pain to two or three persons who had done their best to serve him.\* Among the Scots in London there were many well inclined to his cause ; and it is not improbable that some of these individuals may have flattered themselves they could do more with their countrymen than they were able afterwards to accomplish. But what have these discussions and conjectures to do with the story told by Clarendon, in the face of the papers lying before him—that the engagement written by Montrevil at Oxford—attested by Ashburnham and Secretary Nicholas—and left with the King when Montrevil went to the Scottish army—was written after he arrived in their camp ; submitted to their leading men, and, with their approbation, sent to the King at Oxford ; as the engagement of the Scots to support his cause, in case he put himself into their hands. What are we to think of an historian who could fabricate so circumstantial a falsehood ? What confidence can we place in his History, or, as Mr Lister more properly describes it, his Apology for the royal party ?

The commissioners and generals of the Scottish army were bound to no more than what is contained in Montrevil's letter to the King, of the 16th of April. They engaged to assist him in his escape from Oxford, by sending a party of horse to meet him at Burton-on-Trent ; which they appear to have done, though, from the disguise he assumed and the course he took in his flight, their services were not wanted. They promised to receive Ashburnham into their camp, and if he was demanded by the Parliament, to connive at his escape ; which promise they fulfilled at Newcastle. They treated the King with the respect due to his station ; and, if the sorest grievance he had to urge against them was their refusal to permit the customary honours to be rendered to him on his entrance into Newcastle, he had not much in that respect to complain of. If they admitted no excepted persons into his presence, it was from obedience to the Parliament, whose servants they were. If they refused to the Royalists indiscriminate access to his person, it was to prevent their camp from being made the covert for schemes and cabals to revive the civil war, which was nearly extinguished. His domestics remained about him ; and

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\* Thurloe State Papers, I., 86, 87.

many of his friends had free communication with him. If he had been disposed to make his escape, we have his own admission that it would have been easy for him to have accomplished it. But, for many months after his arrival in the Scottish camp, he was 'dissuaded by his Queen and her counsellors from any attempt to escape;\* and, when the prohibition was withdrawn, his escape had become impracticable. 'I am now a prisoner,' (he writes to his wife, on the 2d of January 1647,) 'heretofore my escape was 'easy enough, but now it is most difficult, if not impossible.'

If his chaplains were not permitted to attend him while he remained with the Scots, it was from religious bigotry, which he must have anticipated when he went to their army. If he had conferences with one of their Presbyterian ministers, it was at his own request. If they refused to take arms in his cause, it was because he refused to take their 'Covenant, and establish their church government in England. But he had no just ground of complaint against them on that account; as these were the demands they had made from the first, and had never for one instant abandoned. It was to obtain their darling Presbytery that they desired to have his person in their possession rather than see him in the hands of the sectarian army. Disappointed in their expectations, they delivered him over to the English Parliament, the majority of whom were Presbyterians like themselves.

Ashburnham, though he enjoyed the confidence of the King, and heard from him many things that passed with the Scots, was not employed in negotiating with them. His information in regard to them being therefore at second-hand, is often inaccurate and incomplete. He tells us, for instance,† that at Newark, and

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\* 'For the present, they say, you are no prisoner, being received in that army as their King, relying on their protestation [protection?] But if you should miscarry in the attempt of an escape, your condition would be so changed that our hearts ache to think of it. And, if you should get safe to this side the sea, you would give your Parliament a more just pretence to exercise their usurped power by deserting of your kingdom.'

(St Germain's, 27th July [6th August.]—Clarendon State Papers, II., 245).

The King, though he acted on this advice, was very far from being satisfied with it; and in one of his last letters, written before he was delivered up to the English, he tells them that, when they gave it as 'their 'opinion that he should not escape till the Scots declared that they would 'not protect him, he considered it to be a civil way of saying to him that 'he should not think of an escape at all.' (9th January, 1647.—Clarendon State Papers, II., 330).

† Ashburnham's Narrative, ii. 76.

in presence of the Scotch Commissioners, Montrevil made a narrative of the negotiations that had passed between him and the Scotch Commissioners in London, to which the Commissioners with the army replied, that they were ignorant of these transactions; that they were not bound by engagements made by the Commissioners in London; and when asked how his Majesty came to be invited to their camp, and why they agreed to send forward a party of horse to protect his escape—they replied, that ‘it was very true, for they approved well of his Majesty’s confidence in them, believing that the end of his honouring their army with his residence, was only to have made that the place where he intended to settle a peace with his two kingdoms.’ That some such statement as this, of which Ashburnham acknowledges to have received his account from the King, not having been present at the meeting, was made by Montrevil, appears from other authorities to be true; but when the whole story is told, no conclusion to the prejudice of the Scots can be drawn from it. Surprised at the allegations of Montrevil, the Scotch Commissioners retired to consider of their answer; and on their return they requested his Majesty to make Montrevil state what were the assurances he pretended to have received, and from whom he had received them; *but this was not done*; whereupon they declared, on the following day, that they would treat no longer with the King in the presence of Montrevil.\* They were probably unjust in suspecting the French Resident, as they manifestly did, of having invented a story which was absolutely false; but his silence at that critical moment shows that the assurances he had to produce, were from persons who had no authority to make them.

Montrevil, in his letters to Brienne,† makes loud and indignant complaints against the Scots. He accuses them of having made promises to the King which they did not fulfil; but he nowhere states what these promises were, nor by whom they were given; and when he admits that the King, though urged by him to publish them, was persuaded by Sir Robert Murray that it was more for his interest to suppress them, he virtually acknowledges, that they were not from persons of consequence, but from sanguine partisans, who reckoned on greater influence with their countrymen than, on trial, they possessed. Dissatisfied with himself for the part he had taken in bringing the King to the Scotch army, he is full of bitterness against all who contributed to that measure. He seems to have forgot his own letters, and re-

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\* Burnet, Hamiltons, 274.

† Thurloe State Papers, I. 85–88.

proaches the Scots with the violation of promises which, by his own evidence, they never made. Afraid lest the honour of France might suffer by the non-performance of the engagement he had made in the King of France's name, he obtained an assurance from the King that it was not in consequence of that engagement his Majesty had gone to the Scotch camp; and, not content with that assurance, he never rested till he had got back the original of the engagement from the King's hands. When he went to Edinburgh, he saw nothing but what was black in the Scotch Parliament; and is grossly unjust to the Hamiltons, who ultimately perished in the King's service. Against the two Murrays he expresses the greatest distrust and aversion. He charges them with being the persons who chiefly contributed to make the King select the Scottish army as his place of refuge; and intimates, that if the letters written by Sir Robert Murray on that occasion were published, they would ruin his fortune and reputation for ever. He accuses them at Newcastle of feeding the King with false hopes of escape; and has the presumption to insinuate, that if he had been employed, he could have served his Majesty more effectually. To such intemperance of hatred did he proceed, that, relating in one of his letters a charge of treachery brought by William Murray against Ashburnham, he remarks that the Murrays were doubly hurt, first, because their master was betrayed; and, secondly, because he was betrayed by any one but themselves.

Clarendon was not more favourably disposed towards the two Murrays than Montrevil ultimately became. Their efforts to persuade the King rather to give up Episcopacy in England than to sacrifice his crown, irritated and alarmed him. Sir Robert Murray had been the bearer of letters from the Queen, 'wherein 'there were such expressions concerning religion as nothing 'pleased the King;'<sup>\*</sup> and it was possibly an aggravation of Sir Robert's offence, that he was one of the persons who advised Charles II., after the Restoration, not to establish Episcopacy in Scotland till the inclination of the people should be better known.<sup>†</sup> William Murray had also been the bearer of messages from the Queen during Montrevil's negotiation, and though arrested and tried for his life on that occasion, Clarendon insinuates that more than once he was suspected of having betrayed the secrets of his master. He had been originally 'whipping boy' to Charles when Prince of Wales, and was afterwards one of the gentlemen of his bed-chamber. His contemporaries give an indifferent cha-

<sup>\*</sup> Clarendon, History, V. 382.    <sup>†</sup> Burnet, Own Times, I. 132, folio.

racter of him ; but from one of the heaviest charges brought against him he must be acquitted. He was suspected, says Clarendon, of having given information of the King's intention to go in person to the House of Commons to arrest the five members, by which that design was frustrated. We now know that it was not Murray, but Lady Carlisle, who gave that timely notification ; having learned from the imprudence of the Queen what was in agitation, and what the Queen thought had been already accomplished. Whether the other charges against Murray—that he disclosed to Hamilton and Argyle the plan of Montrose to assassinate them, and that he deterred Hotham from admitting the King into Hull—have any better foundation than rumour and the jealousy entertained of him as a favourite, we have not the means of ascertaining ; but this we know, that to the end he enjoyed the entire confidence of the King, whose last act at Newcastle was to create him Earl of Dysart.

Sir Robert Murray was a man of a very different stamp. He is called by Clarendon 'a cunning and dexterous man;' but Burnet, who knew him better, pronounces him to have been 'the best 'and worthiest man he ever knew, and the most universally beloved and esteemed by persons of all sides and sorts.' He survived till long after the Restoration ; and was one of the founders and the first President of the Royal Society. During the administration of Tweeddale, one of the short periods when Scotland enjoyed a mild and humane government under Charles II., he had a principal share in the administration of affairs. At his death, he was buried, by order of the King, in Westminster Abbey ; and is lamented by Evelyn as 'his dear and excellent friend, that 'good man and accomplished gentleman.'\* All his contemporaries, with the exception of Clarendon and Montrevil, concur in the praise of Sir Robert Murray.

But, though we may disculpate the Scots from any violation of engagements they had contracted with the King, we cannot acquit them of bad faith towards the English Parliament. The two nations were associated in the same cause, united by the same Covenant, and bound by treaty to conclude no cessation of arms, or agreement of peace, without the mutual consent and advice of both kingdoms. Notwithstanding these obligations, the Scots carried on a clandestine negotiation with the King for several months, without the knowledge of the English Parliament ; and undertook to facilitate his escape from the English armies,

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\* Clarendon, *History*, V. 382. Burnet, *Hamiltons*, 277. *Own Times*, I. 59. Evelyn, *Diary*, I. 463, 4to.



and to secure and protect him in their own camp. It was the repugnance of the Scots to act in open violation of their engagements, that created the difficulties Montrevil had to encounter at Newark, before he could obtain an escort from their army for the protection of the King's person in his escape from Oxford. It was the same unwillingness to avow the machinations in which they had been engaged, that dictated the disingenuous language which was to have been used when he met the party sent to escort him. It was the hope of concealing the part they had secretly acted, that occasioned their affected surprise when the King appeared amongst them; and it was the fear of detection that led to the studied ambiguity of their expressions when they communicated to Parliament that event. When they pronounced the King's letter to Ormond, assuring him that the Scots were under engagements to join their forces to his, to be 'a damnable 'untruth,' they said, though in somewhat uncourteous terms, what was perfectly true. When they professed that the only use they intended to make of his arrival in their army, was to promote uniformity in religion—to consolidate the Covenant—and to strengthen the union and confidence of the two kingdoms—they were probably sincere. But, when they asserted that his coming to their army was accidental and unexpected—that it had filled them with amazement—that it was a matter of astonishment he should have come to any place under their power—we are indignant and ashamed at such unblushing falsehood and hypocrisy. We know nothing parallel to it, except the king's solemn declaration to the speaker, that in going to the Scottish army, he had no intention to disunite the two kingdoms or to prolong the war; when we know, from his letter to Ormond, and from the engagement he accepted from Montrevil, that it was his hope and expectation to do both. It was his knowledge of the secret dealings between Newark and Oxford that emboldened Hudson to write, what has been called 'his cunning letter' to Lord Dunfermline. It was the fear he might divulge the secret communications, of which he had been the bearer, that procured his liberation from Newcastle. It is not probable that the Scoutmaster-general was privy to the secret negotiations that passed,—from the knowledge of which even Ashburnham was excluded; or that he was consulted on any matters of greater importance than the position of the Parliamentary posts, and the course of the bye-roads that might be used to avoid them.

We cannot quit the subject without remarking the contrast between the secret dealing of the Scots, and the open straightforward conduct of Ireton, and other English officers, when overtures were made to them by the king, before he quitted Ox-

ford. To these insidious applications they uniformly replied, that they would lay his majesty's propositions before their superior officers, or before the committee of estates.

To understand how the Scots came in this manner to act in violation of the engagements they had contracted, we must recollect, that, though the security of their civil rights was reason sufficient to have justified their active concurrence with the English Parliament, as soon as they perceived the popular cause to be in danger; the chief reason that moved them to take part in the contest, was the desire of extending their Covenant, and the hope of introducing their Church government into England. These hopes had been for some time on the decline. Since the new model was established, a sectarian army had been formed by the English, better disciplined and more effective than theirs. The Scotch troops, neglected, ill paid, and ill officered, had been more noted of late for the contributions they had levied than for the military services they had performed. The repeated defeats and humiliations they had sustained from Montrose had lowered their character as a nation. Their friends, the English Presbyterians, still formed a majority in the House of Commons; but the Independents and Erastians were powerful enough to prevent the Presbyterian government from being definitively established in England; or invested with the inquisitorial and uncontrolled authority which the zeal and fanaticism of the clergy demanded. In this declining posture of their affairs, the Scots flattered themselves that, if they could get the King on their side, a complete victory might be obtained over their enemies; and being warmly attached to kingly government, *provided they had a covenanted king*, they were alarmed at the disloyal language and republican tendencies of the sectarians.

Through the whole of the negotiations that followed, it is apparent that the King and the Scots were equally deluded by the over-sanguine expectations they had formed. Though the King had refused to establish Presbytery in England, the Scots persuaded themselves that, once in their army, separated from his Episcopalian counsellors, and instructed by their ministers in the purity and excellence of the Presbyterian worship, the same truth which had convinced them would prevail with him—that a new convert and a new triumph would be obtained for the Presbytery they adored; and an insuperable obstacle opposed to the progress of the sectaries they detested, and to the establishment of the religious liberty they abhorred. The King hoped that, when once in the midst of his countrymen, if he could silence or satisfy the zealots with general professions, in which, however,

with casuistical ingenuity, he was careful always to provide himself with a loophole for escape, he should be able to gain over the needy and ambitious with honours and employments, for which Montrevil had a *carte blanche* to be used at his discretion. Both parties were mistaken. Neither had calculated on the tenacity with which men adhere to the most trifling differences in matters of religion. The King was more obstinate, and the Scots more vigilant and less pliable than had been expected. The disappointment fell, in the first instance, most heavily on the King; but, after all, he was only left at Newcastle in the state to which he must have been reduced some months before, if he had staid longer at Oxford.

Though we have blamed the conduct of the Scots towards their English allies, we must confess there are not wanting reasons to believe that the Presbyterians in England, though less bigotted than the Scots, were not altogether strangers to these clandestine negotiations. Alarmed at the progress of the sectaries and at the influence they had acquired in the army, the English Presbyterians were desirous of an accommodation with the King, which might secure their liberties and establish the church government they preferred. It appears, from a letter of Secretary Nicholas, that the Presbyterians in London and its vicinity were most anxious that the King should take refuge in the Scottish camp.\*

At what time, by whose authority, and through what medium a communication was opened between the Scots and the King's friends, has not, so far as we know, been exactly ascertained. It is evident, from Baillie's Correspondence, that, long before the battle of Naseby, the influence and reputation of the Scots had declined in England—that one of the causes of the new model had been the inefficiency of their army—that their jealousy of the sectaries had increased, and was increasing—and that suspicions had often crossed their minds of secret dealings between the Independents and the Court of France. In August, 1645, Montrevil arrived in London, with the ostensible object of obtaining permission to make levies in Scotland for the King of France; but most probably with a secret mission to bring the King and the Scots to a good understanding. In his first despatch to Brienne, the French secretary of state, he represents the Scotch Commissioners as well disposed towards the King, *provided he will establish their religion in England*; and having met the Earl of Holland, soon after the defeat of the Royalists

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\* Clarendon State Papers, II. 228.

at Chester, which destroyed the last army the King had in the field, that nobleman mentioned to him the Scottish camp before Newark, as the only place of refuge that remained for his Majesty. Montrevil communicated this suggestion to Balmerino, who approved of it, promised to mention it to Lord Loudon, Chancellor of Scotland, and requested Montrevil to convey it to his court. Montrevil declined to send an Express with the proposition; but, finding Sir Robert Murray was going to Paris in order to solicit a command in the Scotch Guards, which had become vacant by the death of Lord Irvine, he entrusted that gentleman with the commission; recommending him strongly to Brienne as one who enjoyed in a high degree the confidence of his countrymen.\*

Sir Robert Murray was a man of good family in Scotland, and, like many of his countrymen at that period, he had entered early in life into foreign service. Burnet, who knew him intimately, tells us that he rose to great favour with Richelieu;—no bad test of his capacity and talents. Whether he had come to London at that time in order to get permission to recruit in Scotland for the French army, or with a view to sound the inclinations of his countrymen towards the King, is not clear; but he accepted the commission offered him, and, having received ample instructions, he went to Paris in October or November, 1645; and, after communicating with the Queen and Queen Regent of France, he returned, in January, with letters to the King, which Montrevil conveyed in person to Oxford.†

From the results of Sir Robert Murray's negotiation, it appears that he had proposed to the Queen, and even signed a promise to this effect, that, if the King would consent to the establishment of the Presbyterian Church in England, the Scots would not only declare for him, but draw over to his side the city of London and the English Presbyterians. There were other articles in the proposed agreement, which are not specified; but they were probably the same with those demanded by the Parliament at Uxbridge. The Queen, who considered Episcopalians and Presbyterians with equal indifference, seems to have entered

\* Thurloe State Papers, I. 71. Carte, England, IV. 546.

† All historians, even Laing, have been misled by a misprint in Thurloe's State Papers (i. 73), where the date of a despatch is marked (N. S.) when it ought to have been (O. S.), from which they have inferred that Montrevil was at Edinburgh in January, 1646. If they had read the despatch, and bestowed the slightest reflection on its contents, they must have seen that it relates to transactions which must have taken place in December, 1646.

readily into this scheme, and to have recommended it to the King. When submitted to Charles, he agreed to all the articles, those concerning religion alone excepted; which were either rejected or modified to such a degree as to be no longer satisfactory to the Scots. An active correspondence followed, which left matters as they were. Fresh letters were brought by William Murray, of the bedchamber, from the Queen and from the Queen-Regent of France, which were equally ineffectual with the preceding ones; for on this point, and on this point only, was the influence of the Queen on her husband of no avail. Montrevil's letters are frequent and urgent. He blames the King, while treating with the Scots, for negotiating in secret with the Independents, who were sworn foes to the monarchy; and repeats, what he hears from others, that, by trying to gain both, his Majesty may chance to lose both. Conclude, he says, without haggling, on the terms proposed by the Scots—*cito, cito, cito*—no time is to be lost. In excuse for his importunity, he assures the King that he had employed every argument to convince the Scots, that they would do better to mind their own rights and liberties, than to meddle with the consciences of their neighbours; but that his exhortations had been in vain. They had told him plainly, that, independent of other objections, they could not relax from their demands on the subject of religion without the previous consent of the whole Scottish nation and of part of the English, which they knew it would be impossible to obtain. How the King, after these declarations, could flatter himself that his presence in their army would alter their resolutions, it is not easy to explain;—except from his sanguine temper and exaggerated notions of his own importance. He had, at all events, no right to complain that those with whom he negotiated had deceived him.\*

At Newcastle, to the last moment of the King's residence in the Scottish army, it was in his power to have secured the support of his Scottish subjects, by acceding to their terms on religion. Before the surrender of his person to the English commissioners, the Earls of Lauderdale and Traquair came to Newcastle on a mission from the Scottish Parliament, and most earnestly urged on him to establish Presbytery, and approve of the Covenant; offering, in that case, to conduct him to Berwick and to persuade the English Parliament to be content with the conditions which William Murray had proposed to them on the part of his Majesty. He lent a deaf ear to their application, as he had done to all former solicitations on the subject—partly, as he alleged, from conscience, and partly from pride, lest he should

be thought to yield to the threats of his enemies what he had denied to the prayers of his friends.\* So far as his refusal proceeded from conscience, his firmness deserves credit; but, in the situation to which he was reduced, never was pride more misplaced.

The English Church may justly admire and extol the firmness of his attachment to Episcopacy; but ought the Scots, who were as conscientiously attached to Presbytery and the Covenant as he was attached to Bishops—ought they to have espoused his cause against the English Presbyterians, who had the same worship and maintained the same cause with themselves? That it was not from fear of consequences that they abstained from taking his part, appears not only from the offers they made him at Newcastle; but from their subsequent conduct, after he had fallen into the hands of the sectarian army, in undertaking their Quixotic expedition into England to free him from captivity. But, if they were not to engage with him on the terms he chose to grant, were they to carry him into Scotland, where they had no secure means of keeping him under restraint till he complied with the desires of his people? Were they to connive at his escape into some foreign country, from which he might return with an army of mercenaries to the destruction of his kingdoms? What remained but to deliver his person into the hands of his English Parliament? This was the advice of Holles, Stapylton, and other Presbyterian members,† who saw no other way of putting an end to the civil war and of getting rid of that victorious army, which, after triumphing over its enemies, had become formidable to its masters. Nor was Charles himself much averse to his removal from the Scots to the custody of his English subjects, when once convinced that there was no chance of his escape by sea from Newcastle, and that he had nothing to expect from the Scots, unless he took their Covenant. ‘The question ‘is now,’ he observes, in a confidential letter to Lords Jermyn and Colepepper, ‘whether I shall be in Scotland or in England. ‘To me the case is very difficult; for I think to be better used ‘in England, though I have more friends in Scotland (I mean ‘of Parliament men.’) ‡

The events that followed—the seizure of his person by Joyce—his negotiation with the army—his flight from Hampton Court—his imprisonment in the Isle of Wight—the second civil war, that led to his trial and execution—were events which none could foresee; and for which none of the actors at that period can be deemed responsible.

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\* Thurloe State Papers, I. 85-87.

† Baillie's Letters, II. 257.      ‡ Clarendon State Papers, II. 329.

**ART. V.** *The Life of George Lord Anson, Admiral of the Fleet, Vice-Admiral of Great Britain, and First Lord Commissioner of the Admiralty, previous to, and during, the Seven Years' War.*  
By Sir JOHN BARROW, Bart., F.R.S. 8vo. London: 1839.

**T**HE following passage describes so fully the reasons for undertaking a Life of Lord Anson, that we cannot do better than transcribe it from the author's preface, as a prelude to this article:—'The life of Lord Anson, though wholly spent in the civil and military services of the navy, is certainly less generally known than that of such an officer ought to be, who, by character and conduct, worked his way to the very top of his profession, to the head of the naval administration, and to a peerage; and to whom was intrusted the principal direction of the fleets of Great Britain, during the two French and Spanish wars which occurred in the reign of George II. Every body has heard of, and multitudes have read, "Anson's Voyage round the World;" many are acquainted with the fact of his having been, for a long time, First Lord of the Admiralty; and many in the profession may also know that he fought a great action, took six ships of war, and defeated two important expeditions; but it may be doubted whether the great majority of readers, even those in the naval service, know much more about him than these few particulars. The recollection of his late Majesty even (than whom few were better read in naval history, or better acquainted with the characters of naval officers, or whose memory was more retentive), failed him on one remarkable occasion with regard to Anson, the omission of whose name, in the eulogy he bestowed on other officers, drew from him an expression of regret, and at the same time of the high opinion he entertained of Anson.'

Such being the true state of the case, we have often looked anxiously for a Life of Anson; particularly as we knew that, amongst officers of the navy, this blank in their professional literature was much lamented. We have even heard it suggested that it was a positive duty incumbent on some of our naval authors to undertake the task; but we are now very glad that none of these officers were of this opinion; for sure we are it could not possibly have been so well executed by their hands. This opinion does not spring from any doubt of the capacity of such authors, or of their zeal in such a cause; but solely from our having learned from this work, what we knew but indistinctly before, that many of the most important of the services which Lord Anson rendered to his country, lay almost entirely out of the field of view of naval men. We allude to his civil adminis-

tration of the Navy at the Admiralty Board; of the details of which, though naval men are made to feel the effects, they cannot, except in very rare instances, be fully aware; nor would any extent of industry or of research enable them to acquire this knowledge.

Accordingly, we conceive that no person but one personally acquainted with all the forms of office, and having at his constant command the whole of the records of the Admiralty, and who should also, from circumstances, have rendered himself a professional man, in every sense of the word but the name, could have undertaken to write the *Life of Anson* as it ought to be written; and therefore we consider it a piece of good fortune, both to the service and to the country, that the task has fallen into its present hands.

We have already had occasion, in a former notice of one of Sir John Barrow's biographical works,\* to indicate the important position which this author occupies in this class of writers; and to show in what particulars that position distinguishes him from others, and how his own sagacity and skill have enabled him to profit by a singular combination of advantages. Well known as Sir John Barrow is to the world as a successful man of letters, he is not less favourably known both to the public and to the naval service, as an active and efficient promoter of the scientific interests of the navy. For nearly half a century he has been engaged in official life, mixing intimately with men of all parties and stations, professional and otherwise—living in close habits with all the scientific and literary persons of the age—and enjoying all these advantages at the very headquarters of information, with the utmost facilities of reference to persons and papers, in every department of the state. These advantages, being seconded by great industry, sharpened by a life of business, and quickened into use by a singular keenness of observation and undeviating cheerfulness of temper and facility of access, have placed Sir John Barrow in a position to sift out the details of such a life as that of *Anson*, and to do justice to it, in the best sense of the word.

We do not mean that spurious sort of justice, which, in the lax morality of most biographers, looks with a single eye to the honour and glory of their hero; and, as some one observes, 'un-  
'hooks one of the scales of the balance, to get rid of the trouble-  
'some weight of truth in the other'—we speak of that honest and manly description of personal history which, while it certainly desires to enhance the credit of the person whose life is related, neither directly nor indirectly lauds him at the expense of

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\* See No. CXXXVI, p. 320.



truth and fair dealing. Sir John Barrow has far too great a regard for his own reputation, and too much love for the service, to seek to elevate any man at the cost of the interests alluded to. And this we can more readily understand, when we remember that the two departments of the public service in which Lord Anson was most distinguished, viz.—the Admiralty, and Voyages of discovery—are the very branches with which his biographer has had the most extensive personal acquaintance. He is therefore probably the best judge extant of the greater portion of Lord Anson's life; and though there may possibly be more competent scrutinizers of his purely technical services afloat, we question if it would be easy to point out any one who, with the requisite degree of nautical knowledge, should unite the requisite power not only of correct expression, but the still more rare faculty of rendering his explanations intelligible. Sir John, we should say, has quite enough of nautical knowledge to comprehend the merits of Lord Anson's seamanship and navigation; and he has vastly more general knowledge of state matters, and of the routine of office, than any other naval biographer. He has, moreover, the invaluable power of being able to arrange, condense, and generalize all this knowledge in such a way that, when the story is told by him, it becomes almost as clear to the uninitiated, as it is to a professional man. He thus acts the part of an interpreter to the public, who are willing, from internal and other evidence, to rely upon his familiarity with the various languages in which so complicated a narrative, as the naval and official life of Anson, necessarily requires to be written.

Some people may possibly smile at our speaking of the life of a seaman being a complicated one; but, even in Anson's days, and still more in ours, a naval man is so often called upon to fulfil a variety of duties, of an extra professional nature, that if he be possessed of abilities and habits of resource—if the station he is on be far from home—and if the times he lives in be critical, the scope of his public employments has no limit whatsoever. It includes at one time, all the sinuosities of diplomacy, as well as the more direct and obvious walks of business, which all the world are parties to, and can judge of—at another, it embraces the most extensive military combinations—at a third, it requires the incurring the heaviest weight of official responsibility, without the power of appeal, and yet under the necessity of coming to an immediate decision. Every one knows what a load of extra labour fell to the share of Lord Collingwood in the Mediterranean; but the public are not, perhaps, aware that for many years the whole of the diplomatic and consulate duties of South America (with the single exception of Brasil), were entrusted to the naval commander-in-chief, Sir Thomas Hardy, formerly Nelson's captain.

To do full justice to the character of an officer, therefore, who, like Anson, was at one time afloat, in charge of a long and arduous voyage—at another, filling a high station in the executive administration of the country—and again commanding fleets and engaging the enemy—only to return to the chief naval authority on shore—it becomes highly important that the narrator of his life should be capable, as we remarked above, of acting as an interpreter between him and the public; in order that the innumerable technical mysteries, and other difficulties which beset the reader's path, but form the marrow of the whole story, should be made quite plain to persons who, though highly interested in the topics discussed, cannot possibly understand their proper bearings, unless elucidated by a hand rendered familiar by long use with such explanations.

We have taken some pains to point out the merits of our author as a nautical biographer, from feeling that his book will not only prove more interesting when these circumstances are taken into account, but that it will be more extensively useful, both ashore and afloat; for Sir John by no means adheres servilely to the mere story of Anson's life, but interweaves with it a multitude of other matters, some of a historical, others of a professional, and many of an official and political nature; and, as all of these bear more or less directly upon the main subject of his narrative, his reader will be very well pleased to take the extra amusement and instruction thus incidentally afforded him. In fact, it would scarcely be possible to form a correct estimate of the merits of Anson's actions, were it not for the key which multifarious and collateral, but by no means irrelevant, disquisitions furnish out. Anson, for example, makes a request to the Admiralty for the promotion of an officer, and because it is refused, he flings up his commission (p. 99). Here is an insulated, and no doubt very curious fact; but one in which unprofessional readers could see little, except that there was some loss of temper on one side, and apparently a great degree of official harshness on the other. But Sir John, with his means of information of a documentary kind, gives us a private letter from the secretary of the Admiralty of the day, and, aided by his acquaintance with the rules of the Board, tells us what is the custom in such cases; and thus the whole matter is made clear and useful. Again, it happened that, upon one occasion, Parliament interfered with the executive administration of the fleet, and succeeded in bringing a number of officers to a court-martial; a transaction in which Anson, as one of the Lords of the Admiralty, was obliged to take a part (p. 125). This, nakedly stated, is a mere historical incident, indicative of the despotic power of

the House of Commons;—but in Barrow's hands, it is shown to be unique, and his commentary proves it to be mischievous. In like manner, a strange and indecent squabble takes place between the chief justice of the Court of Common Pleas, and the members of a court-martial, in which, absurdly enough, as we think, the naval men—who, to all intents and purposes, were themselves judges for the time—gave way. To turn this story, however, to account, requires a more intimate acquaintance, both with the strict law of such things, and with the usages of the service, than perhaps any other biographer could have. Vernon's dismissal from the navy, after all his services, is related brought to bear upon it. (P. 126.) The painful story of poor with much feeling and good sense; but at the same time with a full recollection of what is due to the dignity of the Admiralty, and to the best interests of the public at large. (P. 130.) The whole account is not only full of instruction for all ranks of naval officers, but is curious as a matter of historical contrast between those times and the present. Vernon, who was as gallant an admiral as ever lived, but happened to be cursed with about as bad a temper as ever tormented its owner and those about him, wrote two fiery pamphlets against the Admiralty; for which he was summoned before their Lordships, catechised as to the authorship, and, without further ceremony, was scratched off the list! In modern times we have heard (though we don't exactly vouch for the fact) that officers, great and small, have lost no favour, but even gained appointments, by following the self-same course which sent 'the brave conqueror' of Porto Bello to rusticate and grumble out the rest of his life in Suffolk.

But it is time we should turn to Anson's own brilliant career, which owes all its lustre to solid merit; and, being laboriously wrought out, during a succession of hard services, is more instructive than many others which might be named, of men who have made vastly more noise in the world, and done the state no small service, but the tenor of whose lives is by no means such as can be recommended for imitation. As Anson's, on the contrary, so far as we have been able to discover, presents no part which might not be studied with advantage by the rising generation of officers, we should be glad to see his *Life* lying on the gun-room and ward-room mess-tables of every ship in the fleet.

'It is always desirable,' says our author, 'where it can be done, to trace back to early youth the education and character of every one who, like Anson, may have had the good fortune to rise to the highest eminence in his profession; for it has generally been found, that traits of

the future admiral are observable in the character of the midshipman—the inclination of the tree from the bending of the twig. No record was formerly kept in the Admiralty of the services of young gentlemen who entered the navy, until they had served the required time, and passed the necessary examinations, to render them eligible for a lieutenant's commission.

'After a diligent search at Somerset House, it appears that the name of George Anson is first found, as volunteer, in the books of the *Ruby*, in January 1712; from the *Ruby* to the *Monmouth*, and from this to the *Hampshire*, where he received his acting order as lieutenant. As Captain Peter Chamberlain commanded all these ships (the *Ruby* from 1706 to 1712), it is extremely probable that Anson entered the service under this officer, who, in 1720, was wrecked in the *Milford* frigate, off the coast of Cuba, when he and nearly the whole of the crew perished.'

'But whatever Anson's education may have been, and under whomsoever brought up, he rose by his own exertions and good conduct, like St Vincent and Howe, to the height of his profession—Admiral of the Fleet, First Lord Commissioner of the Admiralty, a Privy Counsellor, and a peer of the realm.'

Sir John says afterwards, that 'it appears evidently enough that Anson's education had been defective, and that he was neither more nor less than the plain, honest seaman, altogether self-educated.'

We consider it important that all this should engage the attention of our young naval men, who are too often dispirited, and whose energies are too often 'turned awry and lose the name of 'action,' when they make the painful discovery—as they suppose, too late—that their education, like that of Anson, has been neglected. The only wonder is, indeed, how it can ever be otherwise! A boy goes to sea at thirteen, or fourteen at most, and what can he have learned, deserving the name of education, at that age? It is true, if he have been in good hands, and if his disposition be cheerful, and his cast of mind docile, he may have had the seeds of virtuous principle sown so deeply in him, that the fruits may be developed in an after life of sound action; or, if only encouraged, he may begin his career so essentially under the quickening influence of a sense of duty, that his education, though not classical, may prove the best possible for himself and his country. Under improper management, and in an ill-regulated ship, we can scarcely imagine a worse school for a young man than the quarterdeck of a man-of-war. But if she be in good order, and the captain friendly and well-disposed, and competent to execute the high duties imposed upon him; and if the youth be inclined to learn, and be prepared to make the most of things, we are sure there can be no better school, nor one more calculated to call forth his best energies, and to give him a fairer chance for honourable distinction, and a happy, because a useful life.

Even without the advantages we have alluded to, we hold that 'the quarterdeck of a British man-of-war,' according to the expression of his late Majesty, William IV., 'is second to none for the education of a gentleman;' and we would earnestly encourage those young officers who are apt to feel mortified on coming to a knowledge of their own imperfect education in some respects, not to despond; but to be persuaded that the field of naval exertion is not only so extensive, but so wonderfully varied, that there is room for every description of talents, and ample occupation for every degree of industry; and that, at every stage of their career, a man of sense and perseverance may be sure of getting on.

It is usual to say that the Navy is overstocked; and we may hear the same with respect to all the other professions. But we maintain that the Navy, no more than any other profession, is overstocked, and never will be,—with good materials. It is not overstocked with men of talent, of industry, or of steady conduct; and we are persuaded that, though abilities be the gift of Heaven, there are other requisites, such as exertion, and patient application, and resolute good behaviour, docility, and a genuine desire to perform the duty imposed upon them, which are all within the reach of any and every officer who truly loves his profession, watches his opportunities, and has faith in the solidity of his principles. This may sound like preaching very commonplace doctrine; but we freely risk such criticism, rather than omit the occasion, which Anson's life presents, of directing the observation of young naval men to the real causes of that great officer's rise in the world—causes which do not lie at the surface, but which, we aver, are almost all of them within the reach of every man truly bent on searching for the means of doing his duty.

We are the last to depreciate the transcendent advantages which spring from the example of such mighty warriors as Nelson and Wellington; for the good they have entailed on their country is probably even greater than that which they have bestowed upon it in their lifetime. But the far less conspicuous services of a quiet, plodding, modest seaman, like Anson, who, though he did not (in the words of the Prophet) 'kindle a fire to compass himself about with sparks, or walk in the light of that fire, and 'in the sparks which he had kindled,' may be turned to equally permanent good, if duly recorded by the historian, and properly studied by those to whom it is especially addressed.

That Sir John Barrow had this object in view, we are quite sure; and when he professes himself to be, in his official character, neither a Whig nor a Tory, but that his only party is that

of the *Navy*, we cordially believe him ; and it is this circumstance which, in our eyes, gives so much value to his book, and which induces us to hope that the use he has made of the incidents of Anson's life, will not merely prove creditable to that officer's memory, but tend greatly to perpetuate the utility of his example.

Up to this time, as we have already remarked, Anson has been known to the profession, and indeed to most people, almost entirely for his voyage round the world ; which, again, owes very much of its celebrity to the singular beauty of its composition. This narrative, now well known to have been written chiefly, if not entirely, by the celebrated engineer Robins, furnishes one of the most remarkable instances on record of the power of genius to invest itself with the feelings of others, and occasionally to impart not only more correct, but more forcible expression to those feelings than could have been given to them by the pen of the parties themselves. Anson, indeed, admirable voyager as he was, seems to have been, as his biographers say, 'marvellously frugal, both of his speech and his pen.' Sir John Barrow, we regret to say, confirms the old report of Anson's Private Journal of the Voyage being lost. We remember hearing in India, that a traditionary belief existed at Madras, of Robins, who served in that Presidency, having been in possession of Anson's Journal ; lent to him, probably, to assist in preparing a supplementary volume, which it was known Robins had undertaken to bring out, on the navigation and hydrography of the voyage. This is confirmed by the authority of Major Rennell, who says, in a letter to a friend, 'I forgot to say, in defence of Anson's voyage, that a second volume, containing the nautical observations, was written, and approved by Anson ; but Colonel Robins, being hurried off to India (as Engineer-General), took the manuscript with him to revise and correct, very contrary to Anson's desire. Robins died not long after at Fort St David, and the manuscript could never be found.' These nautical matters, to be sure, could have little or no value now-a-days ; but it would be extremely interesting to be put in possession of the private opinions and feelings of so correct a thinker, and so amiable and highly informed a man as Anson ; and we are not altogether without hopes that the private Journal may still be brought to light.

The voyage alluded to is so well known to every one, that we greatly admire the discretion Sir John Barrow has used, in merely skimming its cream, and condensing into one chapter what a biographer less advantageously placed, would have been too happy to have made the staple of his book. He expresses very just indignation against the administration of the day, for the iniquity of forcing on board Anson's ships, about to un-

dertake a long and dangerous voyage, so large a number of miserable invalids—men altogether unfit for such a service. ‘It was in vain to remonstrate against this, or to represent the impolicy and inhumanity of sending such men on such an expedition, who, from their age, wounds, and other infirmities, were utterly unfit to bear the rigours of a passage round Cape Horn.’ Not a single one of these poor wretches survived to reach their native land! Such cruelty and folly combined, are not, indeed, likely to be again employed in the equipment of a voyage such as Anson’s; but it is well to keep in mind all that is here said on these subjects; and especially to recollect, that the success of every enterprise, especially if it require a long time for its performance, is much more dependent upon the liberality of the outfit, the good quality of the crew, and the care in the selection of all the officers, than can readily be understood by those who have never been so employed. No other person can know the painful addition which it makes to the responsibilities of such a service, and the augmentation it brings to the inevitable struggles with the elements, to be ill provided with stores, undermanned, or ill manned; and, above all, to be unseconded by officers of experience, in whom trust may be placed. From this last bitter evil Anson was fortunately exempted; and it is extremely pleasing to observe, in after times, when he presided at the Admiralty, that the men who had served under him in his perilous voyage, and earned experience under his own eye in every clime, proved themselves worthy of such an education, and rose to the top of their profession—rendering admirable service in war and in peace, in all departments of the navy. ‘Anson was remarkable,’ says Major Rennel, ‘for having brought forward such a number of fine officers, who figured as captains and admirals during the Seven Years’ War—Saunders, Sir Piercy Brett, Dogger Bank Parker, Saumarez, Keppel, Denis, and others, all of whom served in his ship, or in the South Sea squadron.’ Sir John Barrow adds in a note on this passage:

‘It is worthy of notice that *three* of those (lieutenants and midshipmen) who were in Anson’s squadron, Howe, Keppel, and Saunders, became First Lords of the Admiralty—that Piercy Brett, Sir Peter Denis, the Hon. John Byron, Sir Hyde Parker, all attained the rank of admiral, and commanded fleets—the first of them a Lord of the Admiralty. Poor Captain Cheap of the *Wager* died of fatigue and suffering soon after reaching England.’—P. 400.

It is abundantly manifest, from a variety of passages in Lord Anson’s Voyage, that had he been less ably seconded, he could not have gone on with it; and even so assisted, the expedition must, in all probability, have been entirely broken up, at several

stages of its early progress, had it been directed by an ordinary man.

• A man, less gifted with the equanimity and steady perseverance which strongly distinguished the character of Anson, must have quailed at the reflection, that the whole of the surviving crews, which were now to be distributed among three ships, amounted to no more than three hundred and thirty-five men and boys, a number barely sufficient for the mere navigation of the three, with the utmost exertion of their strength and vigour; and that he might have to encounter the whole or part of Pizarro's squadron, with whose disasters he was yet unacquainted. As to attacking any of the Spanish possessions, that was now wholly out of the question, and even the Acapulco ship might be found too powerful for his reduced and nearly helpless squadron.—P. 53.

With these reduced means, however, Anson not only proceeded boldly on his course, but, when his little squadron was eventually brought down to one ship, the *Centurion*, he persevered with as much confidence, apparently, as if he had just left Spithead with his fleet entire; and not only did attack the Spanish possessions, but did not find the great Acapulco ship too powerful for his single ship!

It is quite superfluous, we are sure, to follow the course of events in Anson's Voyage; but we are glad to have it in our power to clear up one point of its history, which hitherto has always disturbed the otherwise unmixed satisfaction with which we viewed his proceedings. We allude to his destruction of Païta, on the coast of Peru, after he had sacked it of money, jewels, and merchandise, to the amount of a million and a half of dollars. It now appears, from the instructions under which he acted, signed by the King, and which are here for the first time printed, that he in no manner exceeded the authority vested in him. Some people may differ as to the propriety of giving such orders, and others may still question—as we do, and always have done—whether there was good reason for carrying them into execution at Païta; but there can no longer be any doubt, that Anson's orders fully justify the act.

But his steady magnanimity, and his unbounded kindness to his prisoners, appear to have outweighed, in the opinion even of the Spaniards themselves, this very questionable proceeding, and all the other acts of hostility on their coasts. Indeed, we have had personal opportunities of ascertaining that Anson's name is still traditionally respected, at Païta itself, though that unfortunate town has never recovered the blow which he gave it. An amusing instance of Lord Anson's forbearance, in a case of youth and beauty under his power, is related with great spirit by Sir John Barrow, who humorously rates him only second to



Scipio Africanus. All we can say is, that if the *señoritas* of Peru, in 1741, were at all like their black-eyed descendants in Lima some fourscore years afterwards, they must have been not only mightily surprised, but not a little disappointed at such sedate conduct, and in a sailor too. In fact, it appears, from the sequel of the story, that these merry ladies absolutely refused to land till they had been permitted to wait on the Commodore on board the *Centurion*, to return thanks to him in person. Sir John observes upon this, that, ‘if Anson under the circumstances of the times and country, be denied the meed of praise bestowed on the Roman general, as an example of stern Roman virtue, he was amply repaid for his generosity and humanity to his prisoners, by their cordial and grateful remembrance of his treatment, which was applauded and circulated through every corner of Spanish America.’

Anson, indeed, knew perfectly well what he was about; and for no one thing is this remarkable voyage more worthy of attentive study by an officer, than for the admirable model set by the Commodore to every person under his orders. On two occasions only, do we see the rigid formality of his character in the least degree disturbed. Every reader must recollect the scene, so inimitably painted by the narrator of the *Voyage*, when his only remaining ship was blown to sea, and Anson, with upwards of a hundred of his officers and crew, were left behind, as they had too much reason to fear, only to perish of hunger or to be hanged by the Spaniards as pirates. Anson, not in the least daunted, set his people to work to lengthen a Spanish prize they had captured, and actually laboured busily at this task himself. After nineteen days had elapsed, the look-out-man on the top of the hill called out, ‘*The ship! the ship!*’ ‘On hearing this happy and unexpected news, the Commodore threw down the axe with which he was then at work, and, by his joy, broke through, for the first time, the equable and unvaried character which he had hitherto preserved.’ It may not be altogether out of place here to make an extract from Captain Fitz Roy’s Narrative of the surveying service in which he and Captain King were so long engaged on the shores of *Tierra del Fuego*: — ‘Some persons are disposed,’ says he, ‘to form a very premature opinion of the wind and weather to be met with in a particular region, judging only from what they may have themselves experienced. Happily, extreme cases are not often met with, but one cannot help regretting the haste with which some men, who have sailed round Cape Horn with royals set, incline to cavil at and doubt the description of Anson and other navigators, who were not only far less fortunate as to

‘ weather, but had to deal with crazy ships, inefficient crews, and ‘ unknown shores, besides hunger, thirst, and disease.’\*

Sir John Barrow very properly discusses, in his chapter on the Voyage, the two points which most remarkably contradistinguish it from all similar modern expeditions,—first, the existence, to such a frightful extent, of that horrible disease the scurvy; and, secondly, the defective state of navigation and nautical science.

It is extremely curious that the cause of this sickness, and its remedy, should not have been sooner discovered; and that it should have been left to this voyage to establish the fact that the scurvy is not peculiar to any climate; but is equally common and fatal in the frigid as in the torrid zone. It is, perhaps, still more worthy of remark, that it was not till the great Navigator Cook came forward, more than thirty years afterwards, and, with his attention no doubt fixed on the incidents of Anson's voyage, so completely eradicated this frightful evil, and so intelligibly explained its causes, and pointed out the modes of prevention, that, with ordinary care, the disease scarcely ever occurs on board ship. There are many officers now alive who have made voyages of greater length—that is, who have been longer at sea at one time than Anson was—and who have been exposed to as bad weather as any of his ships met with, and yet who never, in the whole course of their professional lives, even saw a case of scurvy.

It may not be without its share of interest, and perhaps of use, even in these days, to point out, briefly, the manner in which this important change has been brought about; for officers in command will be all the better able to do their duty in this matter, by knowing the steps by which the present degree of perfection has been attained; and many persons will, no doubt, be surprised to learn how so large a share of this improvement, not merely in victualling ships, but in establishing the existing discipline, belongs to Cook. In these respects, our great circumnavigator may be compared to Watt, whose improvements on the steam engine are still very much as he left them. A hundred minor modifications, it is true, have of late years been made in the arrangements on board ship; just as a hundred minor variations have been made in the valves and wheels of steam machinery. But Watt, by applying the scientific discoveries of Black to practice; and Cook, by availing himself of the experience of Anson,—established in their respective walks a new set of principles, which

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\* *Narrative of the Surveying Voyages of H.M. ships Adventurer and Beagle*, vol. ii. p. 126.

are still in full action, with little variation even in the details. Sir John Barrow very properly gives us, in his supplemental chapter, an extract from Cook's invaluable letters on this subject; and we are convinced that any one who is acquainted with the present state of naval discipline, will be surprised to observe how essentially its merits are due to that great officer, who, though not bred in the navy, has done so much to enhance its renown and that of his country.

Of the 510 persons who left England in the *Centurion* with Anson, in September 1740, only 130 returned alive to England in June 1744; giving a total of deaths during the voyage of 380, or three-quarters of the whole number! On the other hand, Captain Cook, in the *Resolution*, performed a voyage of three years and eighteen days (Anson's lasted three years and nine months), through all the climates of the globe, from lat. 52 deg. north to 71 deg. south, with the loss of one man only by disease; and he died of a complicated and lingering illness, without any mixture of scurvy. 'Two others,' adds Cook, 'were unfortunately drowned, and one killed by a fall; so that, of the whole number with which we set out from England, I lost only four.' This greatest of voyagers, profiting by all the experience of Anson and others, and exercising his own sagacity upon their observations, devised a system of diet and discipline which secured the health of his crew under every variety of circumstance to which they were exposed. By means of sweet-wort, sour-cROUT, portable soup, and above all rob of lemons and oranges, together with sugar, instead of oil, and of wheat instead of oatmeal, he managed to vary his anti-scorbutics so successfully, that very few cases of that disease ever showed themselves. 'But,' he adds, with great truth, 'the introduction of the most salutary articles, either as provisions or medicines, will generally prove unsuccessful, unless supported by certain rules of living.'

He then goes on to describe his 'rules of living'; and, as the paper from which they are taken lies buried in the '*Philosophical Transactions*,' beyond the reach of most people, we shall give an extract from that portion which still forms a part and parcel of the most approved naval discipline at this hour:—

'I put the crew,' he says, 'at three watches, except upon some extraordinary occasions. By this means they were not so much exposed to the weather as if they had been at watch and watch; and they had generally dry clothes to shift themselves when they happened to get wet. Care was also taken to expose them as little as possible. Proper methods were employed to keep their persons, hammocks, bedding, clothes, &c.; constantly clean and dry. Equal pains were taken to keep the ship clean and dry between decks. Once or twice a-week she was

aired with fires; and when this could not be done, she was smoked with gunpowder moistened with vinegar or water. I had also frequently a fire made in an iron pot at the bottom of the well, which greatly purified the air in the lower parts of the ship. To this and cleanliness, as well in the ship as amongst the people, too great attention cannot be paid; the least neglect occasions a putrid, offensive smell below, which nothing but fires will remove; and if these be not used in time, those smells will be attended with bad consequences. Proper care was taken of the ship's coppers, so that they were kept constantly clean. The fat which boiled out of the salt beef and pork I never suffered to be given to the people, as is customary; being of opinion that it promotes the scurvy.

'I never failed to take in water whenever it was to be procured, even when we did not seem to want it; because I look upon fresh water from the shore to be much more wholesome than that which has been kept some time on board. Of this essential article we were never at an allowance, but had always abundance for every necessary purpose. I am convinced that, with plenty of fresh water, and a close attention to cleanliness, a ship's company will seldom be much afflicted with the scurvy, though they should not be provided with any of the anti-scorbutics before mentioned.

'We came to few places where either the art of man or nature did not afford some sort of refreshment or other, either of the animal or vegetable kind. It was my first care to procure what could be met with of either, by every means in my power, and to oblige our people to make use thereof, both by my example and authority; but the benefits arising from such refreshments soon became so obvious, that I had little occasion to employ either the one or the other.'

'Thus,' says Sir John Barrow, 'did this excellent officer and seaman, by care, attention, and the exercise of a sound judgment, preserve his crew merely by his own resources.' 'Happily,' he adds, 'a complete specific has been found in the citric-acid or lemon-juice, which, perhaps, has never failed.' We are of opinion, however, that, besides lemon-juice, the free use of cocoa and sugar, which for many years have been served out to the seamen in the navy, and a greatly superior description of salted meat, far better biscuit and flour, have all contributed their share to this good cause. The introduction of iron tanks for holding the water has also been a great blessing; not only by increasing the quantity by the compactness of stowage, but by preserving its purity on the longest voyages. We are glad to learn that the practice of stowing bread, and indeed all kinds of dry provisions, in iron tanks is gradually coming into use; and we shall hail its universal adoption as a very great improvement. This experiment was tried in India, and its efficacy proved, by Captain Chads in one of H.M. ships during the Burmese war, not merely in preserving these provisions from

decay, but in preventing their loss by waste and the disgusting intrusion of vermin. The high state of discipline into which the Navy, in all its departments, is now brought, contributes greatly to extend all these methods of preserving the health of our seamen. The act of cleanliness in the men, both in their persons and in their clothing and bedding, and the dryness and cleanness of the decks, the holds, store-rooms, and every other part of the ship, is carried to such an extent, that it has been said,—‘ You might eat a beefsteak from any plank on board.’ The Surgical department, too, of the Navy has been vastly improved, by the encouragement of men of education and talents to enter the service as surgeons. And generally, it may be said that, in the spirit of Sir Gilbert Blanc’s admirable recommendations, a generous flow of spirits and a hearty cheerfulness have been imparted to naval discipline, greatly, we are convinced, to the benefit of the public service, as well as to the happiness of the crew. The officers have gradually become men of higher education and more polished manners, without losing an atom of their spirit; or that genuine hardihood which is indispensable to success in a life at sea, especially in a ship of war; while the men, without having lost that reckless sort of indifference to external circumstances, or that vehement love of locomotion and of new scenes, have acquired, we think, better habits of temperance, and are all the better seamen accordingly: they are more docile, and more sensible of the value of good order; but equally ready to encounter any thing and every thing for the honour and glory of their sovereign and country.

Before quitting this important subject of the health of seamen, we must solicit the attention of officers to a disagreeable fact, established on Captain King’s long and arduous survey of *Tierra del Fuego*. In spite of all these improvements in diet and discipline, and in spite of every other advantage of equipment, medical care, and kind treatment, his crew were attacked with scurvy.\* It is evident that this sickness was brought on by the severity of the weather; and by the protracted, though inevitable, exposure of the people, in open boats, to the horrid climate

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\* ‘ The appearance and severity of this disease, although every precaution had been used, and subsequent attention paid to their diet, are not easy to account for; fresh provisions, bread baked on board, pickles, cranberries, large quantities of wild celery, preserved meats and soups, had been abundantly supplied; the decks were kept well-aired, dry, and warm; but all to no purpose; these precautions, perhaps, checked the disease for a time; but did not prevent it, as had been fully expected.’—*Voyages of the Adventure and Beagle*, vol. i. pp. 149 and 150.

of those inhospitable regions. It is by no means impossible that there may be a species of *cold climate malaria* belonging to that dismal country, and which tends to produce scurvy; as the noxious air of Batavia produces fever and dysentery. At all events, Captain King's experience, so late as 1828; ought to act as a warning to all commanders, never to intermit, for one instant, their exertions to preserve the health of their crew, in the spirit of Cook's maxims.

The extraordinary mistakes made by Anson and his captains, in the reckoning of their ships, seem worthy of a few minutes' examination; in order that we may see upon what these singular errors in position turned. To those, indeed, who are accustomed to traverse the ocean with the means which science has lately brought to bear upon navigation, it appears incredible how ships made any progress at all before—how voyages were ever successfully accomplished in any length of time—or how headlands, harbours, and other points on hydrography, were ever laid down with any thing approaching to accuracy. The evil was felt severely; for if we turn back to the publications of a century ago, we find them filled with projects for discovering the longitude; and the records of bedlam are rife with enthusiasts who have cracked their heads against that post. Now-a-days, however, though we occasionally hear of some dreamer about figures, who, knowing little or nothing of what has been effected within the last sixty or eighty years, fancies he has *macadamized* a royal road to the longitude, these instances of folly and ignorance are comparatively rare. The reason is, that the long-sought longitude may be fairly said to be now found out; and, as every properly instructed navigator knows this, there is really no demand for the discovery of any thing more—except the reduction in price of the instruments by which this object is accomplished.

A few words on this particular, so important to the well-being of a naval country, in its important relations of commerce and marine enterprise of every kind, may, perhaps, not be unacceptable.

In Anson's time, and for a considerable number of years afterwards, the only means of ascertaining a ship's place at sea (so far as longitude, that is, easting and westing, were considered), consisted in the clumsy device of the log; which, at best, does not profess to do more than measure the distance the ship has made through the water, and necessarily leaves out every thing which tides and currents, defective steerage, magnetic deviations, and the fluctuating effect of the winds, may have done to disturb the reckoning. During Anson's voyage, although his

ships were provided with every instrument and book then in use, and the officers were mostly well-instructed men, there were many mistakes in longitudes committed, of prodigious magnitude. The Centurion, for example, having passed the most western part of Tierra del Fuego, and proceeded, as they supposed, as far as ten degrees to the westward of it, had almost ran a-shore on the land which they believed was about nine degrees to the eastward of them (P. 84). And Captain Legge, in another ship of the squadron, actually made the land on the wrong side of the continent of America, being no less than twelve degrees out in his reckoning! We venture to say, that this degree of error in longitude is at least thirty times as great as could now be committed on board any of her Majesty's ships, and twenty times as great as probably ever occurs in the ordinary run of merchant vessels. In a ship furnished with a chronometer such a mistake is impossible.

There is no difficulty, as most persons are doubtless aware, in ascertaining the latitude; since this problem requires for its solution nothing more than the determination of the angular altitude of the sun, moon, star, or planet, on any one of these bodies coming to the meridian. But the longitude, being an element dependent on the diurnal rotation of the earth on its axis, requires that the time or hour of the day, should be known, not only on board the ship but also at some other meridian—at that of Greenwich for instance. In order to accomplish this purpose, there are two methods now universally employed, though both of them were unknown in Anson's time—one of these of great ease and simplicity, but not quite infallible—the other somewhat complicated, delicate, and operose, in comparison, but essentially infallible within certain known limits. The first method, or that which is not infallible, but very easy, is that of Chronometers; and consists in setting one or more well-regulated watches to the time on a given meridian—that of Greenwich for instance—and then trusting that these chronometers will continue to show the true time of that meridian. If these instruments be good, the longitude may at any time be found by comparing the Greenwich time, as shown by the chronometers, with the ship's time, shown by very simple observations of the sun or stars—the difference of the two times, reduced to degrees and minutes, being the longitude. If watches could be made quite perfect, nothing more would be wanted; but as this is not the case, and we are never sure that they are doing their duty, it becomes quite indispensable to the secure navigation of a ship, that a check should be furnished of an infallible nature. This is afforded by the rapidity of the moon's course through the heavens; and it is only necessary to

recall to the recollection of our readers the simile of Dr Wolleston, who calls the moon *the hand of a great Greenwich clock in the sky*, to render the lunar method of finding the longitude quite plain.

By means of our sextants, we can ascertain the exact position of the moon relatively to the sun or to some known star; and then, by referring to the Nautical Almanac, we discover, from previous computations, the exact moment, expressed in Greenwich time, when the moon (the celestial hand of the Greenwich clock), was in such and such a position. This time, compared as before with that found on board the ship, gives the difference of longitude; and thus, if the operation be performed with the proper degree of skill, and with instruments of the proper kind and quality, an infallible check is furnished upon the uncertain going of the chronometers.

We have spoken of this method as operose, complicated, and delicate; but the whole affair is well within the compass of ordinary ability and care; and we have been in ships in which not merely the master and the other officers, but all the midshipmen, could not only take a lunar observation and compute the result, but could likewise demonstrate the mathematical truth of each step of the process.

This degree of competency, though it be not absolutely necessary, is so highly useful in the practice of navigation, that we hail, with great satisfaction, the re-establishment of the Naval College at Portsmouth, on a new and more extended, and incomparably more efficient plan than the old one. We have been always persuaded that a good ground-work of mathematics was indispensable in the education of a naval officer, even in the rudest times of our equipment. But now, that our nautical science is brought to so advanced a point—that our naval gunnery generously rivals even that of the royal artillery—that our men-of-war steamers are rapidly increasing in size, numbers, and armament—and that seamanship, ship-building, and the science of hydrographical surveying, are all brought into daily practice—it becomes no longer a matter of choice, whether or not we shall instruct the rising generation of our naval officers, both in the mathematical elements upon which these things rest, and in the things themselves. The only question is—what is the best method of accomplishing this purpose? And, so far as we are acquainted with the plan upon which the new College is to be established, we think the administration of the Admiralty deserves great credit for the kind and degree of instruction which they propose to afford. ‘An admirable system of gunnery,’ as Sir John Barrow tells us, ‘of the laws of projectiles, of mechanic



‘powers, and a course of mathematics, are now taught on board the *Excellent* in Portsmouth harbour.’ And we believe that this system, at present limited in extent, is to be extended, not only to include the lieutenants and mates, to whom it has heretofore been limited, but to be open to officers of all ranks; who may choose to instruct themselves up to the mark of the highest required proficiency of the day. Sir John thinks that this establishment might be better afloat. We are not, however, of this opinion. It would be next to impossible, we conceive, to teach mathematics, and with it, the scientific principles of gunnery in particular, and projectiles in general, at sea. But we are strongly persuaded that the mathematical and other knowledge, so admirably taught on board the *Excellent*, and which is now to be taught also in the dock-yard, must prove of the utmost practical utility afloat. We have the means of knowing, from undoubted authority, that, in the Mediterranean fleet, this system of gunnery practice, now disseminated over the navy by means of officers and men trained on board the *Excellent*, has been found to work admirably. We could produce, if it were required, the testimony of some of the best officers in the navy, who were at first rather averse to this plan; but who have come to see, and are now happy to acknowledge the important advantages of imparting uniformity to our system of naval gunnery; and of resting its principles on a substantial basis of mathematics. And since we have learned that the new system, or rather the extension of the old plan followed on board the *Excellent*, is to be under the immediate direction of Captain Hastings, the accomplished and zealous officer who, for so many years, has commanded that ship, we are confident of its success. We have only further to express a hope, that, besides the mathematical principles of gunnery, seamanship, and navigation, the rising generation of officers may be required to possess a thorough knowledge of Steam Machinery and the management of steam-boats. It is also highly desirable that they should be required to be familiar with modern languages—at all events, with French and perhaps with Spanish and Italian. Of French, it is needless to advert to the advantages, since every one who has crossed the Channel must have felt its necessity; but to be sensible of the utility of Spanish, it is only required to remember that, besides the shores of the Peninsula, almost over the whole range of the South American station, it is the only known language; that, in the largest of the West India Islands, and great part of the Gulf of Mexico, it is spoken;—to say nothing of Manilla, in the Chinese seas, where we have known it render yeoman’s service at a time of need.

The study of one modern language always leads to another ; and if this branch were duly encouraged, the officers of every ship on a foreign station would soon dispense with the instrumentality of interpreters. Sir John Barrow suggests that the Laws and Usages, the Best System of Discipline, and the Code of Instructions in the British navy, should be rendered familiar as household words to every midshipman when he passes for a lieutenant's commission ; and we cordially agree with our author in this suggestion.

Before concluding this branch of the subject, we are tempted to give publicity to an admirable plan adopted on board their ships by some of the ablest officers in the service. They had seen with regret—as who has not?—that young men, when called upon to pass their examination, were too often but imperfectly acquainted with their duty ; and were merely “crammed,” as it is called, for the occasion. In order to inculcate a better spirit, these officers have frequent passing days on board their ships ; and, having called all the midshipmen to the cabin, subject them, in turn, to a searching examination on some one point of duty. In this way, the young men are not only rendered infinitely more useful on board their own ship, but become gradually so well informed in every department of their duty,—in seamanship, gunnery, navigation, and discipline, that, when the passing-day arrives—so formidable to others—they court enquiry into their knowledge ; which, from not being stuffed into them for the nonce, promises to endure throughout their lives.

We think Sir John Barrow makes rather too light of Anson's warlike services, when he says, that ‘It did not fall to his lot to distinguish himself particularly in action with the enemy.’ But immediately after this sentence, he alludes, in the highest possible terms of praise, to his wonderful exploit—for wonderful it certainly was—in fighting and capturing the great Acapulco ship, with his reduced and feeble crew, just one-half in number to the enemy ! Sir John says this was highly creditable to him, his officers, and ship's company ; but this is but niggardly praise, we think, for an action so distinguished. Anson's celebrated battle of the 3d of May 1747, with the combined squadrons, though his force was superior to that of the enemy, was also an extremely spirited affair. The dispatch reporting his success is written with such clearness and force, that we regret not to have more of his letters. We shall give paragraphs from it, however ; chiefly on account of the passages which we have placed in italics, and which, we think, are worthy of the attentive study of every officer, as including the very essence of his duty in a general action.

‘ At one o’clock I made the signal for the line of battle abreast, and in half an hour afterwards for the line a-head. About three I made the signal for the ship in the van to lead more large, in order to come to a close engagement with the enemy; who, getting their fore-tacks on board, and loosing their top-gallant sails, convinced me that their sole aim was to gain time, and endeavour to make their escape under favour of the night, finding themselves deceived in our strength; upon which I made a signal for the *whole fleet to pursue the enemy, and attack them, without having any regard to the line of battle.*

‘ The *Centurion* having got up with the sternmost ship of the enemy about four o’clock, began to engage her, upon which two of the largest of the enemy’s ships bore down to her assistance. The *Namur*, *Defiance*, and *Windsor*, *being the headmost ships, soon entered into the action, and after having disabled those ships in such a manner that the ships astern must come up with them, they made sail a-head to prevent the van of the enemy making an escape, as did also several other ships of the fleet.*

This, after all, is the grand object of what is called breaking the line—namely, to disable a part of the enemy’s fleet, and oblige him either to abandon that portion or come to close action with the whole. The manner in which Lord Anson speaks of his opponents on this occasion is very amiable:—‘ To do justice,’ says he, ‘ to the French officers, they did their duty well, and lost their ships with honour; scarcely any of them striking their colours till their ships were dismayed.’

Having given above a specimen of what we are inclined to call the Nelson style of action, we are tempted to add another in the Wellington style of writing; of which Gurwood’s compilation furnishes so many examples. It is in a letter from Lord Sandwich to Lord Anson, and is, we think, an excellent model of the manner in which authority should be delegated to those in whom we have confidence.

‘ This is my real opinion of our present situation; but I am so little positive or confident of my own judgment, that if, on considering this matter more fully, you and the Duke of Bedford are of a different sentiment, and think it will be right to recall our force from the westward immediately, I shall have no difficulty to give up my opinion to those who, I am sure, must know much better than myself; and I shall never intimate to any person whatever that I was of another sentiment, because I think every act of this consequence, one way or other, ought to be considered as the act of the whole; and you may be assured, however you determine, it will have all the support I am able to give it.’

The French commander, M. St George, appears to have been a remarkable person. He commanded the *Invincible*, and next to him on the line, was the *Gloire*, which it is necessary

to mention in order to understand the joke, which, even at the moment of defeat, the worthy Frenchman could not resist indulging in ; and which made some one say, that although he lost his *battle*, he gained his *point* !'

'When the commander of the *Invincible*, which struck to the Prince George, came on board that ship, the manner in which he approached the vice-admiral, to deliver up his sword, made a favourable impression on Anson and his officers. He said, with a placid and undisturbed countenance, "*Monsieur, vous avez vaincu l'Invincible, et la Gloire vous suit ;*" an epigrammatic compliment, as true as it is pointed, and said in a manner highly characteristic of this brave and gentlemanly officer, between whom and Anson commenced a friendship and an intimacy, alike honourable to both, which ceased only with the death of Anson.'

Sir John Barrow's remarks on this action are sound and useful. Some writers, considering the disparity of force, look upon it as an event of small moment ; but it was the *first* victory gained in the war, and, like that of Howe, it inspired the navy and animated the nation. 'in war,' says Sir John Barrow, 'the first blow is half the battle.' We trust that this maxim will be always borne in mind—and especially that steam is now brought into play ; for the first successful blow which is struck by the agency of this new power, will be of no small importance. We do not doubt the issue in the least ; but we are persuaded, that if we *begin at once* to let it be felt that we have the superiority in the application of a force which it is proudly hoped by not a few, is destined to lower our crest, we shall spare ourselves, and those who wish for such a consummation, no small trouble and expense. We are well convinced, indeed, that within a very short time after the breaking out of a war, we should have between one and two hundred powerfully-armed Steam-Vessels in the Channel ;—all officered by persons duly instructed in steam navigation, as well as in naval gunnery, and worked by naval officers, and by marine artillery and able seamen, perfectly familiar with the duties of this new line of service. This is not the place to go into the details upon which this confident opinion rests ; nor indeed are we sure that it would be quite right to develop any such measures ; but we speak no less professionally than confidently, when we bear our testimony to the vigilance of Government in this, as well as in the regular and every day, but by no means less important, matter of the armament of the *sailing fleet* ; which we are certain never was more efficient than at present ; or which could be more promptly got ready to meet the strongest of our foes, or any number of our foes combined, in the event of a war being declared. In speaking of the efficiency of the navy, we are anxious to be understood as meaning its efficiency for the

services of peace,—which services are very important, and certainly ought to include preparations for war, as well as preventive checks to its occurrence: for both these purposes we think our fleet sufficient.

In a 'Supplemental Chapter,' Sir John Barrow enters at considerable length into this important topic in answer to sundry strictures which have recently been made respecting the executive administration of the Navy. Sir John, however, takes up the cause entirely in his private, not public capacity. 'For the facts and observations,' says he, 'I have ventured to state, I hold myself wholly and solely responsible, having, advisedly, communicated with no one, not even with a single member of the Board of Admiralty. I have no other object in view, but that of letting the *truth* be known; by which test I am willing to abide.' And certainly we never read a more triumphant answer, nor one which, upon the whole, is better calculated to allay the apprehensions of the country; roused as they have been, we think, unnecessarily. Sir John Barrow is placed in the best position for obtaining every kind of information, foreign and domestic, as to the state of the Navies of Europe; and, from his long and uninterrupted course of official employment at the Admiralty, under *eleven* different administrations, he must have learned, from actual experience, probably more than any other man alive, of the detailed workings of our own maritime power and resources, under a vast variety of trying circumstances, both of peace and war. His authority, therefore, we hold to be of the highest order; and we recommend his statements to the careful perusal of every one interested in the well-being of the naval service, and the consequent security of the country. We should have been better pleased (because we think the statements would have come with more weight), had Sir John treated both Captain Crauford, and the anonymous writer, who signs himself a 'Flag-Officer,' with a little more courtesy. The anonymous writer is clearly inaccurate in some of his statements, and we cordially agree with our author in condemning his line of thought and argument; but, while we sympathize with few, if any, of the 'Flag-Officer's' apprehensions, we see no reason to impugn either the public spirit or the private honesty of his purpose. He is mistaken, we believe, but that he is sincere, we are well assured; and no less sure are we that he is disinterested—and therefore we think Sir John Barrow has visited him with too much severity. If, indeed, he be the man we take him for, there is not a better or a more conscientious officer alive, nor one who would wear 'the bit of bunting' (p. 437) with more honour, at his mast-head.

We cannot abridge Sir John Barrow's powerful arguments without crippling them; and therefore we shall merely give his winding-up paragraph on the state of the Navy.

'In conclusion, I cannot hesitate to affirm, and I do so neither rashly nor vauntingly, nor without due research, that, if any confidence is to be placed on official statements and returns, at no former period of profound peace, in the whole history of Great Britain, was her Navy in so efficient a state, as to the number, condition, and equipment of the ships in commission, and the number and superior qualities of the petty officers and effective seamen borne on their books: nor were the number, the dimensions, and the condition of the ships in ordinary, and the preparations and stores in the dock-yards for increasing the active and efficient force of the fleet, at any time more satisfactory than at the present moment—the commencement of the year 1839.'

But to fall back into the regular current of this volume:—We have, in the sixth chapter, an extremely animated account of the Seven Years' War; during the whole of which Anson filled the important position of First Lord of the Admiralty; and nothing can be more just than what is said of him upon this occasion. In the first place, however, and in order to enable any one to judge of the wretched materials which Lord Anson had to work with, and out of which he afterwards educed such admirable results, we shall give a picture of the state in which the dock-yards of the country were in those days:—

'In the early part of 1749 Lord Sandwich took his seat at the Board; and one of his first measures was a visitation of all the dock-yards and other naval establishments, which, for many years before, had been entirely neglected. Indeed, there is nothing on record to show that they had ever been officially visited by any preceding Board of Admiralty,\* or even by the Commissioners of the Navy, under whose control they were more immediately placed: yet these establishments occasion the great portion of the expense annually voted by Parliament on the Navy estimates. The object of this first visitation, by the proper and responsible authority, is fully stated in the following minute of the Board:—

“ ‘ Friday, 9th June, 1749.

“ ‘ Present—Earl of Sandwich, Lord Vere Beauclerc, Lord Anson, &c.

“ ‘ The Lords, taking into consideration the number of men borne in the several dock and rope-yards, the great expense attending the same, and that the works are not carried on with the expedition that might be expected from them, which must arise from the remissness of the officers, or insufficiency of the workmen, or both; and being determined, as far as

in them lies, to remedy the same, do judge it expedient forthwith to visit all his Majesty's dock and rope-yards, to examine into the ability and conduct of the officers, the sufficiency of the workmen, the condition of the ships and magazines, together with what works are carrying on, that such reformation may be made as shall be found needful to prevent any unnecessary expenditure of the public money, to see that the several rules and orders for the government of the yards are duly carried into execution, that the ships of the Royal Navy be kept in constant condition for service, and that the money granted for keeping up the same be frugally expended; and that the Comptroller of the Navy do attend them in their visitation."

'In the minutes of their proceedings it appears that they found the men generally idle, the officers ignorant, the stores ill arranged, abuses of all kinds overlooked, the timber ill assorted, that which was longest in store being undermost, the standing orders neglected, the ships in ordinary in a very dirty and bad condition, filled with women and children, and that the officers of the yard had not visited them, which it was their duty to do; that men were found, borne and paid as officers, who had never done duty as such, for which their Lordships reprimanded the Navy Board, through the Comptroller; that the store-keeper's accounts were many years in arrear, and, what was most extraordinary, that the Navy Board had never required them;—in short, gross negligence, irregularities, waste, and embezzlement were so palpable, that their Lordships ordered an advertisement to be set up in various parts of all the yards, offering encouragement and protection to such as should discover any misdemeanours, committed either by the officers or workmen; particularly in employing workmen or labourers on their private affairs, or any other abuse whatever.

'Every thing, in short, appeared to be left to the Resident Commissioner who, on his part, left all matters to the principal, and they to the inferior officers. The members of the Navy Board seem to have given themselves no trouble about the dock-yards. Captain (afterwards Admiral) Savage Mostyn, the Comptroller of the Navy, must have felt himself in rather an awkward position while the enquiry was going on, and at the public notice above mentioned, being stuck up in the yards. In future years, when Lord Sandwich was again First Lord of the Admiralty, he caused frequent visitations to be made, and left a record of them in the Admiralty Office, as an inducement for subsequent boards to pursue the same practice, which was partially followed by Lord Howe, Lord Spencer, Lord St Vincent, and is continued to the present time. From these visitations much good has resulted, many abuses have been corrected, and a vast expenditure of money and stores saved to the public.'—P. 213.

Sir John adds, in a note,<sup>o</sup> that

'Sir Edward Hawke, in 1770 (then First Lord of the Admiralty), being dissatisfied with the reports he received from the surveyor of the Navy and the dock-yards, procured an order in Council which directed that, in future his Majesty's ships and dock-yards should be inspected by

the Board of Admiralty once every two years;—they are *now* visited annually.'

\*No naval officer could have been chosen more fitted for the vacant station than Lord Anson; he having, in fact, carried on the duties of the First Lord during the preceding five years. 'In point of talent and energy,' adds our author, 'he might, perhaps be considered inferior to Lord Sandwich; but by much his superior in professional knowledge and sound judgment in naval concerns, as was frequently acknowledged by his Lordship.'

We confess that we were not aware before, how considerable a share Anson took in public affairs; nor how much of the naval successes by which England was distinguished in those days, is directly due to his skill, perseverance, and professional knowledge. In nothing, however, is that professional knowledge more remarkable than in his penetration in discovering talents in others, and bringing forward valuable officers. His opportunities for learning the characters of the persons under him must have been great, on his South Sea voyage; and, accordingly, we also read, with an uncommon degree of interest, the same names, figuring as captains, commodores, and admirals, with whom we had made acquaintance as lieutenants and midshipmen in the 'voyage round the world'—a voyage which, is still about the most delightful of any with which we are acquainted; and we believe, has sent more young fellows to sea, than even the renowned 'Robinson Crusoe'!

In considering the manner, however, in which Anson stood by his officers, we are naturally led to enquire how it happened that he who appointed the unfortunate Byng, should not have interposed, effectually, to save that brave officer from a fate at once so shocking to humanity, and so entirely unjust; even had it been—which we must ever think it was not—within the strict letter of any technical law. It is truly astonishing that the individual share which Anson had in this tragedy has baffled the enquiry of his indefatigable biographer. Not a scrap of paper either from Anson or him, as we understand, has been discovered which throws light upon the matter; not a word of it is to be found in Lady Anson's voluminous correspondence, if that can be called correspondence, which is all on one side.

Anson, it is true, resigned, along with the Duke of Newcastle, and Pitt, and with the Lord Chancellor Hardwicke, his father-in-law, in consequence of the outcry about Byng, and the determination of the country, right or wrong, to have his blood. But, although this resignation may have been perfectly proper, and under the circumstances, was probably quite inevitable, and



although it removed Anson from that position in which his power to save Byng was at its maximum, to one in which his influence was at the lowest point ; still we can by no means excuse him for not standing by his own officer—an officer whom he had appointed to the command in which, if he did not succeed, he certainly did nothing worthy of death. If this were so—as we believe all men, professional and otherwise, are now pretty well agreed upon—we must even think that Anson, if he could do nothing in the king's closet, or could not move the ministry, ought to have stepped boldly forward in his place in the House of Lords ; and, at all hazards, have interposed himself between poor Byng and the senseless fury of the multitude.

This view of the matter recalls to our minds the noble conduct of that excellent officer, Sir John Colpoys, who, when the mutineers on board the *London*, exasperated to the highest pitch of fury against one of his officers who had fired on the crew, were hurrying him to the yard-arm, ran forward, and, taking the rope from the young man's neck, insisted that, if any one was to be hanged, it was he himself who had given the orders, and not Lieutenant Bover, who had merely obeyed them.\* We do not, of course, say that the cases are strictly parallel ; but we firmly believe that, if Anson had made the case of Byng his own, so far as to insist upon himself being impeached, rather than that

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\* We regret that our space does not admit of giving an admirable letter, written by John Fleming, one of the delegates, or leaders of the mutiny on board the *London*, about this business of Lieutenant Bover, and which Sir John Barrow, with great propriety and good feeling, has given at length in his Preface, p. xxii. It sets honest 'Johnny' very high ; and, considering the irritation and other inflammatory circumstances under which it was written, is certainly a most extraordinary document to have come at such a time from such a quarter.

'Read this letter,' says Sir John Barrow, 'written the day after the blood of the writer's messmates had been shed, and then say whether such men as Joyce and Fleming, delegates as they were, and mutineers, if you will, are not an honour to human nature ; and who will doubt that there are thousands among our brave seamen possessing kindred feelings.' (Preface, p. xxii.) Sir John writes on a subject with which he is well acquainted ; and we take the opportunity of adding, that we know of no page in our naval history which throws more light on the singular character of our naval seamen than the painful one of the great mutiny at Spithead. It has often been our agreeable fortune to witness these characteristics of moderation and good feeling, no less highly developed on occasions when no one need have blushed for his countrymen.

Byng should be shot, this terrible stain upon the justice of the country would have been saved.

For the rest, we think we may safely say, that of the numberless accounts of Admiral Byng's story, there is none extant which is written with more clearness, and more fairness, than that by Sir John Barrow, or which gives us so complete an insight into those official details upon which the merits of such a question very often turn.

Every one who has read Walpole's letters—and who has not? must have seen what he says of Voltaire's interference, or rather, as it appears his *intended* interference, in order to serve Byng, by sending to that officer, when his trial was going on, a letter, which he (Voltaire) had received from the Marechal Duke of Richelieu. Sir John Barrow publishes both letters, though he thinks they never reached Byng's hands, as there was no mention of them at the trial; and he has sought for them in vain amongst the papers of the Byng family—those at the State Paper and Record Office, as well as those of Lord Hardwicke, at Wimpole—nor are these curious letters to be found in the daily papers of the day. At last they were discovered in the 'Gentleman's Magazine,' from which they are reprinted in this volume, p. 275. They are curiosities in their way; but, we imagine, they would have done Byng no good had they been read at the Court-Martial. We strongly suspect that Voltaire got up the correspondence with a view to effect—and, perhaps, as a 'pendant' to his well-known sarcasm on the object of this execution being '*pour encourager les autres.*' Sir John Barrow ingeniously gives a new direction to Voltaire's satire, by maintaining that Byng's fate '*did really encourage* the others, by rousing naval officers to a higher sense of responsibility, and to that spirit and enterprise, revived under 'an indignant feeling of the sacrifice to popular clamour.'

The interest of the seventh chapter, which relates to the expeditions to the coast of France in 1757 and 1758, has been forestalled by Sir John's previous life of Howe—but Anson's share in these matters is so fully developed, that we think it worthy of careful study by professional men.

The busy and successful campaign of 1759 is next described; and Sir John Barrow's address, in pressing into the service of his hero all sort of topics of interest is here very conspicuous; for we read not only about Anson, but of the old stories of Wolfe at Quebec, and of the action in which

'Our Hawke did bang  
Monsieur Confians.'

—of Sydney attacking Havre—of Boscawen defeating M. de la Clue—and of Pocock driving away the French fleet in India, just as if they were events we had never heard before. Not much less interesting is the last chapter, giving an account of the conclusion of the Seven Years' War, and the quarrel with Spain. This chapter is remarkable, from its containing one of the very few samples of Anson's letters. He is describing his wife's illness; and, after attempting to report what the doctors said, he adds, in a style both of thought and expression very characteristic of the man:—  
 'I don't understand their jargon, and always feel when I have any of them in my house as I always did when I had a pilot; being ignorant myself, I always doubted whether my pilot knew as much as he ought to do; but in both cases, there is nothing else to trust to.'

Sir John Barrow frequently alludes to the difficulty he has had in writing the life of a man of whom so little remains under his own hand;—even of familiar letters, which generally form the staple commodity of biography. To this was added the analogous circumstance of Lord Anson's silence both in the House of Commons and in the House of Lords. With all these drawbacks, however, his biographer—chiefly from the extent and variety of his own knowledge, historical, official, and professional—has not only written a most interesting volume, but added essentially to the naval department of our literature.

The following masterly comparison between Anson and Howe, is not a mere piece of ingenious composition, but a useful portraiture of two officers well worthy of being examined in juxtaposition.

'On every consideration it appeared to me desirable, that the name of Anson should no longer want a place in the naval biography of Great Britain; and, having ascertained that materials, to a certain extent, were to be found for the purpose, I ventured to undertake it; and I am not sure that in doing so the similarity, real or fancied, between the circumstances and characters of Anson and Howe might not have had its share in stimulating me to the attempt. The parallel might run thus:—each of those distinguished officers entered the naval service without a prospect of early promotion from any great interest or hope of patronage; the success of both appears to have been owing to constant service and strict attention to their duties, which rarely fail; at the period in question, when the lists were not so swelled as now, young men like these were sure to succeed. Howe rose to the flag at the age of forty-five; Anson at forty-seven. Both attained to the highest honours of the profession; both were raised to the peerage; and both were placed at the head of the naval administration. And it may be noticed, as one among the numerous instances of Anson's discriminating faculty in the character of naval officers, that to him, and his recommendation to Mr Pitt, Howe,

while a captain, was indebted for the distinguished command of the expeditions to the coast of France in the Seven Years' War.

'The moral and physical character of these two officers was very similar. The same personal qualities and constitution of mind were common to each; resolution, with undaunted courage, united with patience, perseverance, and indefatigable attention to their professional duties; modesty and diffidence were the characteristics of both. Howe, on one or two occasions only, spoke in Parliament—Anson never. Howe has been represented as silent as a rock; Anson is called, by the same writer, the silent son-in-law of the chancellor. Howe was a family man, and seldom appeared in society; Anson was said to have been "round the world, but never in it." Howe's character was strongly marked by benevolence, humanity, and generosity; and Anson's was not less so. Both were firmly attached to the naval service; and it is so far remarkable that both should have had the opportunity of giving the first blow to the French navy, by each having gained the first victory in two general wars.'

We have room for only one more extract from this interesting volume; and as it relates to one of the officers whom it was Anson's great merit to have brought forward, and touches on a point of professional importance, we are sure it will be read with interest.

'Sir Edward Hawke had no great affection for fighting in line of battle, and he was probably right. There never was, and perhaps never will be, a decisive battle fought where the line on both sides is preserved, or attempted to be preserved. Such a battle is little more than a sort of field-day; the two lines proceed parallel to each other at a certain distance, within cannon-shot, fire at each other in passing, tack or wear, or wheel round, going through the same process, consuming daylight in their several manœuvres, and separating, each their own way in the evening. It is absolutely necessary that a large fleet should form the line, in order to keep the ships together, and each in its own division, that the commander-in-chief may know where to find them; but Hawke, like Nelson, thought only of attacking the first ship of his opponent he might be able to come up with. The plan of Rodney, Howe, St Vincent, and Nelson, dashing through the enemy's line, and throwing it into confusion, and then attacking, ship to ship, is the sure way of arriving at a decisive result. M. Charles Dupin, who knows more of naval matters than most of the French officers, and is now in the department of the Minister of Marine, successfully ridicules what he terms "the pious respect of his countrymen for the sacred order of the line of battle," to which he says "the combined fleets were sacrificed at Trafalgar." While Nelson advanced in two close columns to overwhelm the centre of this "sacred line," the two wings remained immovable: they were "in line," (he says), "and that was enough; and in this position they looked on, avec une effrayante impassibilité, until the centre was destroyed; then, and not till then, forgetting all respect for the sacred order of the line, they thought, not of seeking to remedy any part of the evil, but of making their escape."

ART. VI.—*Reports of the Commissioners appointed to consider and recommend a General System of Railways for Ireland.* Presented to both Houses of Parliament, by command of her Majesty. Folio. London: 1838.

WE have here before us the results of a Commission, issued in the last year of the reign of his late Majesty, to enquire into, and report upon, a subject of the utmost moment to the empire, and one respecting which it was above all things desirable to possess such a mass of information as is here collected; and to have the opinions and conclusions of men, not only competent in the highest degree to conduct such an enquiry, but on the independence of whose judgment the public might rely with entire confidence.

Although the improvement of Ireland was the main object contemplated by the government in setting on foot the seasonable enquiry of which this able document is the fruit, it did not follow, that the attention of the Commissioners was to be strictly limited thereto: accordingly, we observe with satisfaction that their views have taken a more extended range, comprising (as it is to be desired that all considerations regarding Ireland should comprise) those broader interests of the United Kingdom in which those of Ireland are involved.

The Commissioners have enquired into the moral and physical condition of the Irish people: they state the appalling and apparently anomalous fact, that, while Ireland has made considerable progress in improvement, and manifests signs of increasing wealth, the condition of her labouring population has not advanced at an equal rate, but is even more wretched than it has been; they seek a remedy for this enormous evil, and find it in the establishment of works of such a magnitude as may afford extensive present employment; and create constantly increasing demands for labour. Having shown the influence of railways in developing the resources of a country, and thereby improving the situation of its people, they conclude, that the establishment of a system of railways would answer the important end sought for in Ireland, by giving large employment to her peasantry, and striking out new paths of industry. They consider, that separate and isolated lines would not accomplish the important public objects aimed at; and recommend a combined system, in which the joint traffic of many places and districts would pass over one common line. The relative importance of different districts is then exhibited; and from data, the accuracy of which has not been questioned, the Commissioners describe the

general direction of the main trunk lines which would, in the aggregate, give the greatest return upon the capital employed in their construction; and, finally, they discuss the important and disputed question, whether a work so essentially national should be undertaken by the state, or left to the energy and control of individual enterprise; and they adopt the former branch of the alternative. In the progress of these reasonings and calculations, the Commissioners present a statistical survey of Ireland, the most accurate and useful that has yet been submitted to the public.

We have given to this valuable document all that consideration which its vast importance demands. We perceive that the accuracy of its statistical statements has been admitted in all the various discussions to which its recommendations have given rise. We have given to those recommendations the best attention of which we are capable, and the result of it is, that we concur with the Commissioners in their views; and rejoice to find that the government has adopted the luminous and benevolent propositions contained in the Report.

In thus acting, the Government has only followed up the course of policy which has guided all its proceedings respecting Ireland. A plan for the employment of the people is a legitimate sequel of that great system of measures, which has had for its objects to dispel their ignorance, and civilize their habits. It follows a scheme of national education, the establishment of an excellent police, and the other reforms and improvements which, within the last ten years, have been effected by the liberal party in Ireland, in natural and just order; being, in truth, indispensable to the completion and consolidation of all other reforms and improvements. When we find the public attention at length forcibly attracted, and about to be concentrated, upon the distressed condition of the mass of the Irish population, which we have ever regarded as the worst distemper of the country, we cannot but feel that we have advanced a great step in the career of useful legislation. We may indulge the gratifying reflection that we have not laboured ineffectually in the earnest efforts we have repeatedly made to remove the obstacles to the discussion of this main question. The time is fresh in our memory, when the multitude of exciting topics that divided public men upon Irish affairs, caused us almost to despair of ever attaining the favourable position we now occupy, for considering a subject in practical importance beyond them all. The Catholic question has been set at rest; the question of Education has been carried; the grievance of Tithes, as far as it involved the public peace, and fostered crime and insubordination, has been redressed. We are far from under-rating the value of these great steps; we advocated them

strenuously, and of their intrinsic importance none can be more assured. They would be generally estimated more highly than they are, were it not that evils of greater magnitude than even civil inequality and popular ignorance, remain to be corrected.

To present these evils distinctly to the view of the public,—to solicit their attention to a subject of such urgent moment,—to consider the adequacy of the remedy proposed by the Commissioners, and sanctioned by her Majesty's Ministers,—and to determine the mode in which that remedy ought to be applied,—are the points to which we shall apply ourselves in the following observations.

The population of Ireland at this moment is upwards of eight millions; amounting to nearly one-third of the entire population of the United Kingdom. The swift rate at which it has advanced may be judged from the fact, that in 1791 it was under four millions and a half. In fact, it has doubled in the space of fifty years! The causes of so rapid a multiplication of the human species we have often had occasion to explain; and to enter at large upon the subject again here would be unseasonable and superfluous. Suffice it to repeat that it arose chiefly from two causes,—*first*, certain defects in the law of landed property, which, up to the passing of the valuable sub-letting act, deprived the Irish landlords of all effectual guarantee against the continual division and subdivision of their estates: *secondly*, it is in a great measure to be ascribed to the infatuation (to adopt the mildest term for their conduct), of the landlords themselves, who, partly through motives of avarice, to swell their rent-rolls, and partly instigated by ambition, to increase their political importance, adopted and pursued a system of management, the temporary advantages of which blinded them to the enormous evils which it has since brought forth.

Thus it was, that the population of Ireland attained a magnitude so vast and so alarming. Alarming it must be called, because, resulting from no previous increase of the national store—from no previous impulse either to agricultural or commercial activity—there was no provision to supply its wants, no accumulation of capital to meet the increased demand for labour and subsistence. The pressure was accordingly upon the mere resources of the soil, upon which the growing population swarmed, and vegetated, rather than lived. Every man was a proprietor, and every proprietor a pauper. A beggarly tillage was the consequence; an agriculture without skill, without management, without order or forethought—that racked the land as its wretched occupiers were racked themselves by the agent and the bailiff—that extorted the last potato, as the proctor extorted the last

farthing—that exhausted the productive powers of the soil as the demands upon it redoubled. For agricultural improvement there must be capital, there must be skill, and there must also be room. Such improvement is impossible, where the farmer only cultivates to pay his rent and escape starvation, where physical want paralyses activity and enterprise, and where the patch designated a farm is scarcely spacious enough to admit the operations of the plough. Under such circumstances, the land must daily become less and less able to sustain its living burthen; and consequently a population, like the Irish, almost entirely dependent on their own wretched tenements for subsistence, must every day sink lower in the scale of destitution?

A diminished, and a constantly diminishing supply of food is, however, but one of the calamitous effects resulting from the unnatural stimulus that has been given to the population of Ireland. The Second Report of the Railway Commissioners informs us of the distressing and startling fact, that not only has the food of the Irish peasantry decreased in quantity, but its quality has moreover greatly deteriorated. The following passage will not fail to excite a deep commiseration:—

“ Among the effects of this rapid increase of population, without a corresponding increase of remunerative employment, the most alarming, though perhaps the most obviously to be expected, is a deterioration of the food of the peasantry. It could scarcely be thought, indeed, that their customary diet would admit of any reduction, save in quantity alone; yet it has been reduced as to quality also, in such a way as sensibly to diminish their comfort, if not to impair their health. Bread was never an article of common use amongst the labouring poor; but it is now less known by them than it was at the time when a sum exceeding £50,000 per annum was paid in ‘bounties,’ to induce the landholders to grow a sufficiency of grain for the supply of the city of Dublin. *Milk is become almost a luxury* to many of them; and the quality of their potato diet is generally much inferior to what it was at the commencement of the present century. A species of potato called the ‘lumper,’ has been brought into general cultivation, on account of its great productiveness, and the facility with which it can be raised from an inferior soil, and with a comparatively small portion of manure. This root, at its first introduction, was *scarcely considered food good enough for swine*; it neither possesses the farinaceous qualities of the better varieties of the plant, nor is it as palatable as any other, being wet and tasteless, and, in point of substantial nutriment, little better, as an article of human food, than a Swedish turnip. In many counties of Leinster, and throughout the provinces of Munster and Connaught, the lumper now constitutes the principal food of the labouring peasantry,—a fact which is the more striking, when we consider the great increase of produce, together with its manifest improvement in quality, which is annually raised in Ireland, for exportation and for consumption by the superior classes.’ ”



Here is a description of the diet of a third of the people of the United Kingdom ;—milk a luxury, bread a wonder, meat unknown, the very potato only cultivated in its most degenerate, unpalatable, and least nutritive variety ! That the Irish peasantry subsist almost exclusively upon the potato, is known wherever the Irish name has reached ; but we now learn the further particulars of their wretched lot, that the only potato they can afford to cultivate, or eat, is the vilest description of that vile root. Such, we are assured, is the principal and staple food of the labouring peasantry in the entire of two of the Irish provinces, and throughout the greater part of a third.

All reports, all accounts and narratives of the condition of the poor of Ireland tell the same story. Upon this point there is no discrepancy ;—Whig, Tory, Radical, agree perfectly. Men dispute of the causes of the melancholy phenomena exhibited by that country ; the phenomena themselves are admitted upon all hands. The political grievances of the Irish people are subjects of altercation ; but there is no question about their sufferings and destitution. They are, by unanimous consent, the worst fed, worst clothed, and worst lodged population in Europe. We have seen their diet—let us take a peep at their habitations. The celebrated work of Arthur Young, published fifty years ago, contained, amongst its other illustrations, drawings of the usual abodes of the Irish peasantry. It was hardly credible that those abject huts, made of sods and straw, without doors, windows, chimneys, hearths, beds—without the commonest furniture or rudest utensils—affording protection neither against the elements, nor any other violence—answering, scarcely indeed proposing, a single object, ordinarily aimed at in human dwellings—were designed for animals above the rank of swine ; yet these were the habitations of man as he was found in Ireland at that time ; and the interval has neither improved their structure nor supplied a single deficiency. The peasant's hut is the same dreary den at this hour—the drawings of Arthur Young's book would illustrate with perfect truth any modern tour through the same portion of the empire. The Irish hut is described by the Rev. Baptist Noel, an enlightened and humane observer, in a late valuable work,\* ‘ As a mud cabin of the worst description, built of sods cut from the bog, with rushes or anything else piled on the top for a roof, shocking to the eye. Children and pigs, where there is a pig, come together out of these dismal dens ; and in

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\* ‘ Notes of a Short Tour in the Midland Irish Counties.’

‘some there seemed to be neither turf-stack nor furniture, nor any thing above absolute destitution.’

These are but the natural results of that unthrifty avarice and infatuated ambition, which called into being a population so entirely disproportioned to the means of subsistence. It need scarcely be stated that it is not abundant employment that has reduced them to the lumper for their diet, and the sty for their habitation. The general absence of employment is the worst feature of their condition. Demand for labour there is none, at all commensurate to the supply afforded by a glutted market. Employment comes by fits, at long intervals, and leaves the ill-paid workman as improvident and wretched as it found him; no industrious habits formed,—no savings accumulated—no addition made to his comforts. Such employment as exists wants the two main requisites of continuity and fair remuneration. The long gaps of agricultural labour,—nearly half the year,—are periods of utter idleness,—not the vice of the wretched peasantry, but their calamity and curse. The writer whom we have just quoted describes a scene in the town of Tipperary, in the following vivid colours:—‘At least a hundred men in frieze, many of them ragged, were standing about. “Is it market-day here?” “I somewhat thoughtlessly asked the landlady, as we were changing horses. “Oh no,” she answered, “the streets are generally as full at this time—they are men *who can get nothing to do.*”’

To the question suggested to Mr Noel by this spectacle, there can be but one reply. ‘Is not this enough to account for all the turbulence for which Tipperary is infamous?’

On the state of the King’s County, the theatre of the late atrocity which has excited so much attention, Mr Noel makes the following remarks, which we must also take leave to quote:

‘We saw no symptoms of improvement in the state of the people, no inhabitants being visible but the worn and ragged tenants of filthy cabins. In this neighbourhood, no less than others, there is a frightful excess of labourers; it appears that, of 1599 labourers in the barony, there are 668, or two-fifths of the whole, who have not regular employment. It is easy to perceive the consequences of this state of things: it must depress wages, and raise the rents of small holdings of land, till nothing is left to the tenant and labourer but potatoes and rags.’

Yet there are men who can discover no solution for the crimes and disorders that deform the face of Ireland, but the missives of M<sup>r</sup> Hale and the orations of O’Connell. For our part, we concur with the same author, that depths of misery like these,

‘with’ Mr O’Connell’s speeches, or without them, are quite ‘enough to account for an enmity to the laws under which the ‘people of Ireland endure such hardships.’ The marvel is, in truth, not the occasional outbreaks, but the prevalent and general tranquillity;—that we have not counties in rebellion, instead of here and there a disturbed barony. Produce the example, in ancient or modern times, of a population so orderly amidst animal sufferings so intense, in a state of destitution so utter and so desperate. Try the same clothing, the same housing, or the like diet in quantity and quality, with the peasantry of England; try the lumper potato for one day,—who would pledge himself for the order of the most exemplary district in the country? Who would answer for the Queen’s peace? Who would guarantee the farmers’ ricks against the incendiary, or the houses of the gentry against the burglar? Make the experiment where you will,—make it where the lessons of Christian resignation have, we may presume, been best inculcated,—where daily example, we must believe, has taught the duties of patience and abstinence more ably and lastingly than any precepts or any sermons; try it at Fulham, try it with the populace of Lambeth, try it even under the sacred walls of Exeter,—there, even there, where Bloomfield dwells bodily, where Philpots sheds his apostolic influence round about him, make experiment of the lumper diet;—but first give notice to the Horse-Guards, call out the militia, organize a rural police, prepare all the defences of the nation! Nay, we question, were the daily food of the Irish peasantry set before the aforesaid holy bishops themselves, whether the flesh would not mutiny against the spirit, whether peace would reign within their palaces, whether all their Christian panoply would repel the assaults of Satan!

Yet it is not in the ‘dismal dens’ which they tenant in common with the swine—in the loathsome diet, mis-called subsistence—in the rags that constitute their only wear—nor in the disease that ever dogs the heels of nakedness and hunger, we are to seek the springs of the disorders, which, though for party objects much exaggerated, still, to a great extent, disfigure the face of Ireland. The plummet must sink lower, before the entire depth of misery be fathomed—before we reach the true immediate cause of agrarian crime. That cause is insecurity!—the precarious tenure of their hovels and their rags, the uncertain fruition of the very swine’s leavings! Not until the quiet possession of their very wretchedness is wrested from them, do the peasantry of this distempered country raise their hands against the law. Far the greater part of the offences that occupy the public

tribunals, and characterise the rural population of Ireland, originate, we are firmly assured, in the reckless exercise of what are speciously called the rights of property. Newly awakened to the madness of their former system, the Irish landlords have been following, of late years, a reverse process. Consolidation has succeeded to subdivision; a change sound in principle—a change not only salutary but necessary—affording the only hope of a thorough reformation of the social state of Ireland; but, unhappily, it has been attempted, in too many instances, with the characteristic selfishness and violence of the Irish aristocracy. As the future was formerly sacrificed to the present, so the present has of late been sacrificed too commonly to the future. Avarice and intolerance are now, as avarice and ambition were before, the motives. A system of ejectment, described by its advocates as a plan of extermination, has opened to the view of its harassed victims an abyss of destitution, compared with which their habitual condition was comfort itself.

‘ And in the lowest depth, a lower deep,  
Still threatening to devour them, opens wide,  
To which the hell they suffer seems a heaven.’

Still, although it is most true that the revolution in the management of Irish estates, now in progress, has been too generally attended with circumstances of great cruelty, and bitter aggravations of the distress of the rural population—although the lords of the soil have hitherto prosecuted, and must, we fear, be still expected to pursue their selfish interests, alike regardless of the wretchedness occasioned by their measures and the crime and turbulence of which that wretchedness is the parent—still we are thoroughly convinced that the principle now in operation is the sound one; and carries in its womb the ultimate improvement and prosperity of Ireland. Again and again we have pressed upon the landlords of that country, that the excessive subdivision of the soil is its bane and curse; and that, until their estates shall be cleared of the superfluous tenantry, and consolidated into farms more capable of being properly managed, Ireland must necessarily continue to be overspread with crime and misery. From this opinion (always protesting against the injustice and cruelty of turning swarms of helpless families adrift, without asylum or resource), we do not recede. Saving the sacred rights of humanity, the system of consolidation ought to be persevered in; and the clamour against it upon general grounds should be utterly disregarded and discountenanced. Already has the progress it has made been productive of the best

results to agriculture, attested by the improved aspect of the country; and it is only to be deplored that the condition of the people has not been changed for the better also. It is, however, beyond dispute that this condition has deteriorated as the new system has advanced; the gentleman has improved his estate, but the lot of the peasant has become more destitute than ever.

The fact might have been foreseen. Indeed it was foreseen. The first steps of the transition through which the peasantry of Ireland have to pass from the state of the mendicant landholder to that of the remunerated labourer must necessarily be attended with great hardships. Expelled from their hovels and potato-grounds, before society has provided them with refuge or provision, they are driven to seek for labour in a market already glutted with that commodity. The price of labour accordingly diminishes, and the entire mass of the labouring population experiences a new depression. The evil, too, is one which must necessarily be progressive, for the cause from which it springs must continue active. The system of dispossession must still go forward; hourly multiplying the clamourers for labour, and augmenting the demand upon a decreasing fund for its employment. The change is therefore undeniably accompanied by evils of great magnitude; and the question is,—shall we arrest the movement, or address ourselves to mitigate the hardships attendant on it? Can a means of mitigating those hardships be devised? Can a course of policy be struck out, by which, while a revolution essential to the future welfare of the country is supported and promoted, we may alleviate, or even avert the sufferings and derangements incidental to the process? To reconcile ultimate and lasting good with the least amount of present misery and disturbance, ought of course to be the statesman's object.

In the following passage, which we quote for the admirable union it exhibits of strict principle with humane feeling, the Irish Railway Commissioners state, in language the most forcible, the claims of the landlords on one hand, and the tenantry upon the other—the claims of the landlords to support while prosecuting durable improvements, and of the tenantry to protection in the perils and hardships to which they are consequently exposed.

‘ This change cannot much longer be delayed with safety. It is not possible to avoid it by any other alternative than that of permitting a state of society, pregnant with all the elements of disorder and confusion, to go on unchecked, until it forces the whole population down to the lowest depths of misery and degradation.

The proprietors of estates claim public support, in their endeavours

to bring the country to a sound and secure condition, by opposing and counteracting the further progress of so ruinous a system; and if they would proceed in all cases with discretion, and a just consideration of those whose interests are as nearly concerned as their own, they are entitled to it. Of course we do not palliate the injustice and cruelty of turning families adrift, helpless and unprotected upon the world. There is a compact, implied at least, between the landlord and the peasantry who have been brought up on his estate, by which the latter have as good a right to protection, as the lord of the soil has to make arbitrary dispositions for the future management of his property. Nor do we think that it makes much difference as to the force of this obligation, whether the injurious subdivision of lands was made by the direct sanction and for the immediate benefit of the tenant in fee; or by others to whom the power of a landlord over the property had been delegated by lease. It is not denied that those subdivisions were lawful at the time they were made. They were a part of the system then recognised and in operation for the management of property; for their effects, therefore, upon the general welfare and security, the property itself is justly to be held accountable. Nor is this responsibility to be shuffled aside, or laid at the door of persons, who, having ceased to possess an interest in the lands, are no longer in a state to repair the error that has been committed; but the country will look to those who now hold the property, having received it charged with all its moral as well as its legal engagements.'

At the same time, we fully concur with the position also laid down by the same judicious authorities, that 'the owners of estates in Ireland are unequal to sustain the entire of this liability, and proceed with that work of improvement which is so essential for the interests of all classes of the community, and eventually of none more than of the labouring poor themselves.' It follows, then, that measures must be taken to distribute a portion of the burden through other channels; and we may naturally be asked, whether the legislature has not already, by the New Poor Law, established a provision of such a tendency. In reply, we must observe, that the operation of the Poor Law will, in some degree, tend rather to fetter the proceedings of the landed interest than to aid them. While to the pauperism of the country its effects will unquestionably be a valuable and timely boon, it is equally certain that upon the landed proprietors it will be proportionately burthensome; thereby lessening their ability to carry on their improvements; inasmuch as every ejected cottier will augment the public demands upon them in the shape of poor-rate. Emigration will of course suggest itself as a means of effectuating the desired object; but the evil is too vast for a remedy like this, incapable of being applied upon a scale of sufficient magnitude, for the double reason of the great expense involved,

and the difficulty (in the case of Ireland, we believe, insurmountable), of inducing any large body of the people to abandon their native shores. We have to deal with a distemper which will yield to no half-measures—which calls for vigour—which calls for promptitude. Emigration is too slow a process, were there no other objection to its adoption.

A remedy, however, must still be sought: we are bound to seek it, not alone as our philanthropy is interested in lifting up from the abyss of destitution myriads of our suffering fellow-creatures; *not alone* as we value the peace of Ireland, ever precarious, while so huge a mass of human suffering, big with the elements of crime, threatens laws, institutions, and society itself, with dangers, various, appalling, imminent; but as Englishmen, who know that the degradation, the poverty, the disorders, and insecurity of Ireland are evils in which the entire kingdom must participate; that the prostration of a part is the weakness of the whole; that justice and relief to the Irish people are justice and relief to ourselves, not to be extended without joint advantage, or denied without common detriment, such being the result of our neighbourhood, and the law of our connexion.

But the remedy is still the question. Let us seek it in the nature of the malady; we cannot take a better guide. The malady is want of employment,—of employment for thousands,—of employment commensurate with a vast and a growing demand. The object is to raise the physical condition of a people,—the employment must be extensive and remunerative. The object is to elevate the *moral state* of a people also—to form and cherish habits of industry, order, economy, forethought:—the occupation must be steady and protracted to answer these high purposes. The object is further to guard against relapse into the old disorder—to secure the benefits resulting from a few years of constant and lucrative employment against the consequences of its abrupt cessation; not only to advance the condition of the labouring population, but to fortify the ground gained, and consolidate the improvement effected. To accomplish this, the remedy we are in search of must possess another character. To whatever work we direct the dormant energies of Ireland, its nature must be such as not only to sustain, but reproduce, employment for them;—such as will not merely open a field of industry in the execution, but develope a still wider sphere for labour and enterprise in all its branches, after the period of its completion.

These, we apprehend, are the principles upon which any rational plan for the improvement of Ireland by the instrumentality of

Public Works must be founded; and it is, precisely, a plan upon such principles that the Railway Commissioners have so ably recommended, and that the Irish government has, so greatly to its honour, partially adopted.

In the proposed Railway Undertaking all the conditions above deduced will be found combined. The project possesses all the requisites of magnitude, duration, and remunerative employment; with the further indispensable attribute of unlocking fountains of social activity and commercial enterprise, upon whose continued flow we may confidently rely. The execution of such a work must necessarily occupy some years; and, in the interval, we may reckon with assurance upon the disappearance of that abject poverty, and that social disorganization, so disgraceful to the legislature and so embarrassing to the government. New tastes and habits would be generated, and have time to strengthen, and fasten their roots into the character of the people. There would grow up a taste for those necessities, and even comforts, which constant occupation and good wages would introduce into the improving cottage of the labourer. With unintermitting employment, peaceable habits would be introduced and fostered, and a relish for order would result from the sweet experience of solid advantages resulting from it. The condition of the peasantry would be assimilated to that of our own rural population; and all the results that have followed from railway communication, wherever established, as well as all the advantages that have ensued in Ireland itself from the execution of public works of a corresponding nature, forbid us to entertain the least alarm that the progress of national improvement would cease with the first impulse to it.

We desire to record our full concurrence in the doctrine laid down by the Commissioners, that to provide a remedy for the existing distress of Ireland—a remedy, not temporary and partial, but permanent and complete, is an undertaking as politic (were generosity and humanity silent) as a British minister could propose, or the people of Great Britain sanction and promote. We are ourselves the chief losers by the neglect of the vast moral resources, no less than the physical capabilities, which exist, like hid treasure, in the people and the soil of Ireland. As, therefore, the great exigency of the Irish people is Employment, let it be a public object, a national enterprise, an imperial concern, to supply that vital want upon the necessary scale. Let no miserable spirit of spurious economy prevent whatever expenditure of the public resources may be essential to the execution of a plan of such measure-



less importance. The folly, the extravagance, consists in suffering so rich a mine to remain unworked. We have been guilty of this worst kind of prodigality much too long: we have too long left the physical condition of the Irish peasantry unimproved; and have egregiously overlooked the close connexion between that condition and their moral conduct. The first steps to the establishment of a national system of education have been taken; we have made a change of the utmost consequence, dictated by the soundest wisdom, and prolific of the fairest fruits, in the spirit of our government in that country; the national schools are excellent instruments of civilisation; the influence of an able and popular administration has been deeply felt; but there is a broader basis of public order than the best schooling, or the best government; there is an engine for raising at once both the physical and moral condition of Ireland that has not yet been put in motion. Is idleness the bane?—employment is the antidote. Administer it largely, steadily, above all, promptly. Give Irishmen British industry as well as British institutions. Industry, indeed, is the oldest and best of our gifts. Can we confer a nobler boon than the fountain of all that we possess ourselves of national strength and consequence, and social happiness and prosperity?

The moral elasticity of the Irish character is highly favourable to the great undertaking we would urge upon the British public. Upon this point we must again quote the report of the Commissioners, where we find the following strong testimony to the unconquered energy, the exemplary fortitude, and the aptitude for improvement, which, despite of all that laws and policy have done to demoralize and degrade them, still happily distinguish the Irish people.

‘ But the spirit of the Irish peasant is by no means so sunk by the adverse circumstances of his lot, as to be insensible to the stimulus which a due measure of encouragement to laborious industry supplies. Where employment is to be obtained without difficulty, and at a fair rate of compensation, his character and habits rise in an incredibly short space of time with the alteration of his circumstances. In a state of destitution, no race of people are more patient and resigned. Their uncomplaining endurance seems almost to border on despondency. They make no effort to help themselves, probably because they despair of being able to do so effectually; and it ought to be mentioned to their honour, that in such emergencies they have scarcely ever been known to extort by violence that relief which cannot be obtained from their own lawful exertions, or the benevolence of others. Their fortitude during the unparalleled sufferings of 1822 was regarded with the greatest admiration and respect; feelings which have not failed to be renewed by their con-

duct on every subsequent trial of a similar kind. Within the last two years, namely, in the summer of 1836, a populous district on the coast of Donegal was exposed to all the miseries of famine, rendered tenfold more agonising by the knowledge that there was food enough and to spare within a few miles; yet the poor people bore their hard lot with exemplary patience, and throughout the entire period, though numbers were actually without food, and reduced to eat sea-weed, there was no plundering of stores, no theft, no secret pillage. Such forbearance, almost approaching to insensibility, might be deemed to belong to a character incapable of being roused to exertion in any circumstances; yet the same race, who endure the last extremes of want without a murmur, are no sooner placed in a condition of supporting themselves by independent industry, than they cast aside the torpor which distinguishes them in a depressed state, and become active, diligent, and laborious. The unsparing exertions and obliging disposition of the poor, half-starved harvestmen who periodically visit the west of England are well known, and will, we are sure, be cheerfully acknowledged by all who have had occasion to employ them.'

Another encouragement to embrace the proposition of the Irish Government, founded upon the Report of the Railway Commissioners, is the acknowledged success that has crowned analogous undertakings in Ireland, of a local nature and on a smaller scale. If the application of the principle of state-labour to the construction of common roads has been uniformly beneficial, we may reasonably anticipate the like advantages, proportionally magnified, from the same principle applied to railways. Those roads that have been executed from time to time, at the public charge, in various parts of Ireland, have repaid the outlay a hundred fold; we do not speak, of course, of pecuniary return, but of the far more important requital which the public has received in the shape of agricultural improvement, mercantile activity, and the other numerous and obvious good effects which increased facility of communication uniformly produces upon civil society. The 'Annual Reports of the Board of Works' teem with evidence in support of what we now advance. We are told that, almost in every instance, the traffic immediately ensuing upon the opening of a new channel of intercourse, has surpassed the most sanguine calculations. In consequence of the expenditure of £160,000 upon roads and bridges in Connaught, within seven years, the increase of the annual revenue has been equal to the whole of that expenditure. It was stated by Mr Nimmo, that there never would have been any developement of internal improvement in Ireland, but for the advances of public money, made from time to time for the construction of roads. We have heard no objection to the advance of public money for the exe-

cution of railways, that does not apply with equal force to its expenditure on ordinary roads; and what would be the state of Ireland at this moment, had the construction of the latter been left to the principle of private enterprise? And will any body say that the excellent roads that now intersect that country in all directions, and for the possession of which it is indebted to the not less wise than liberal interposition of the state, have not amply repaid the sums they cost the public, by the *impetus* they have given to internal traffic, and the benefits they have conferred upon civilisation? In the principle upon which the Government has called on Parliament to proceed in the case of railroads, there is nothing novel,—nothing that has not been frequently and familiarly acted upon in Ireland by governments of all parties. In opposing this principle now, the Tories oppose what they have repeatedly recommended and sanctioned when in office;—no singular proceeding, it must be admitted, upon their part, as their conduct on the Education question, amongst numerous other instances, will suffice to show.

A further consideration of the greatest weight, as an inducement to the undertaking, is the demand which the progress of steam navigation has created for the introduction of the same gigantic power into the channels of internal intercourse. The steam-boat has made the steam-carriage indispensable. The vast impulse that has been given to commercial and social activity, by the general establishment of this regular and rapid system of communication, upon the rivers and along the coasts of Ireland, as well as between the ports of the two countries, has caused the inferiority of the old methods of land conveyance to be felt sensibly. A system of railroads would have the excellent effect of continuing and propagating through the island the benefits which the various harbours and maritime cities have already derived from steam-vessels; while, on the other hand, the new vents thereby afforded to internal traffic would re-act upon the latter; and daily increase their number and activity. The Commissioners inform us, that, since steamers have begun to frequent the rivers and ports of Ireland, the operations of commerce have been extended enormously. Not only have old branches of trade put forth new energies, but nine-tenths of the traffic carried on at the present moment is a new creation; attributable to the influence of the new power that has so gloriously revolutionized navigation. A remarkable example is the trade in fattened cattle, the increase of which, within the last fifteen years, has been prodigious. Taking cattle of all kinds, collectively, the number exported from Ireland in 1825 was 200,000;

in 1835 it had risen to 600,000. The benefit, however, of this important traffic is limited at present almost exclusively to the eastern counties; for the condition of the animals would suffer so much by their being driven any considerable distance, that they are necessarily disposed of in some neighbouring market; and thus the principal feeding counties in Ireland, such as Limerick, Clare, and Tipperary, are precluded from the advantages open to Cork, Waterford, and other places. 'A railway,' says the Commissioners, 'intersecting the country from Dublin, would place the cattle of those rich pastures within reach of Liverpool, Manchester, and Birmingham, thereby insuring to these markets a larger supply, and of superior quality, while the profits of the Irish feeder would be proportionally enhanced. A similar advantage would be secured, through the same means, to the growers of corn; the prices of produce being thus equalized through the whole country, land would be of nearly equal value to the cultivator at a distance from the metropolis, as in its immediate neighbourhood; and hence the inducement to expend capital and labour upon its improvement would be as strong in the one case as in the other.'

We have alluded to the growth of one important branch of Irish commerce; but the same improvement is visible in the trade of the country generally. Within these few years, for example, grinding, malting, brewing, and distilling, have made great progress. The grain of Ireland is no longer converted into flour by the mills of Liverpool and Bristol. The Irish streams no longer flow to the sea idle; and to keep up regularity of supply; steam is now generally combined with water-power, —a proof of a better system of trading, and more enlarged means. The quality of the raw produce, as well as its quantity, has also improved vastly;—a fact established by the augmented prices which Irish butter, pork, and beef, bear in the British markets now; compared with the prices of these commodities some years ago. 'From north to south,' say the Commissioners, whose Report abounds with interesting details upon the state of Irish commerce, 'indications of progressive improvement are everywhere visible.'

Here is the great anomaly in the state of Ireland: a thriving trade, an improving agriculture,—the state of the people alone exhibiting symptoms of decline and deterioration. The gentleman, the merchant, the manufacturer, the farmer,—all prospering, while the greatest interest of any, that of the bulk of the population, decays, as we have seen, apace. The explanation, however, of this startling and disgraceful paradox is most simple. To account for it, we have only to revert to the causes which gave the population

of Ireland so powerful and unnatural an impulse ; and to recollect that the very measures adopted to check its increase, necessarily augment its destitution. True it is, that, by the mere operation of agricultural and commercial improvement upon the one hand, and a constant and active check to population upon the other, the country would, in process of time, work out of the evils of its present strange position ; but it is no less certain, also, that the interval would be one of intense physical suffering to multitudes, besides being of incalculable danger to society ;—resulting from the crime and turbulence attendant upon a process of depopulation, unmitigated by any provision for the ejected peasantry. It is here, therefore, that a plan of Public Works recommends itself with so much force, as a means of helping the country through so painful and perilous a crisis ; as a support to the landlords in prosecuting their territorial improvements, and a resource for the peasantry in the hardships thereby entailed upon them ; at once aiding a most desirable and most necessary social reform, and guarding against the evils incident to a harsh and sudden revolution.

When the Report of the Commissioners had made known the condition of so many millions of our fellow men, and established the adequacy of such a work as a system of railways to ameliorate that condition, we had fain hoped that no opposition to an undertaking of so benevolent and politic an aspect would have been raised, and that party feeling, on such an occasion, would have slept. It grieves us to discover how utterly the interests of party can extinguish the kindly feelings of humanity. It grieves us to find that a cry has been raised against a project, conceived in the spirit of the purest benevolence and the soundest policy, conducted by men of confessedly the highest attainments and the most unimpeachable character ; as though it had been a scheme promoted by the lowest jobbers, and directed to the narrowest and basest ends.

In Ireland, with the exception of a few disappointed speculators, the plan of the Commissioners had been received by all good men with a unanimity, in such a distracted country, almost miraculous. The Whig, the Conservative, the Protestant, the Catholic, the peasant, and the peer, had all emulated each other in bearing grateful attestation to the unwearied but prudent zeal, the singular accuracy, the manifest integrity, with which the task of the Commissioners had been performed ; while all men exulted in the prospect of an undertaking sure to banish, for a time at least, that idleness which is the parent of every crime,—to open new paths to industry, and develope the overflowed resources of a neglected country. Nevertheless, men have been

found not hesitating to declare that the recommendations of the Commissioners should be indignantly rejected; while they have not ventured to deny,—nay, have admitted, the truth of their statements, the accuracy of their calculations, and the fairness of their conclusions. While the selection of the lines of railway made by the Commissioners is unimpeached, and the amount of profit to be expected from the establishment of such lines is admitted to be correctly stated by them—a profit notoriously insufficient to bring the private capitalist into the field—we are told by some eminent men, and in accordance, as is said, with certain fundamental principles of Political Economy, that undertakings of this description should be left to the exercise of private enterprise; that the state should take no heed as to whether such works are executed or not; and that, until Ireland shall arrive at such a pitch of improvement, and have made such an advance in wealth, as to hold forth a sufficient bait to the cupidity of individual capitalists, her people must remain as they are, immersed in every temptation to outrage and insubordination which famine can suggest, or idleness improve and nurture; and this in the teeth of the admitted fact, that, though Ireland advances visibly and steadily in improvement, and though signs of increasing wealth may be descried on every side, yet does every coming day dawn upon a population more destitute than the preceding one had found them.

It is not denied, that increased facilities of intercourse, in whatever country effected, have invariably not only increased the traffic which originally existed, but created traffic till then unknown; that civilisation, with its train of lights and blessings, has ever been extended just as means of communication have been opened. It is not pretended that a greater or a more sustained impulse was ever given to the trade and commerce of Ireland, or a larger benefit conferred upon the community than by the public roads undertaken, not by joint-stock companies, but by the state; nor is it hinted that a fraction of what has hitherto been meted out has been misapplied or unproductive. It is not pretended that the profit reasonably to be expected from a system of railways in Ireland is sufficient to tempt a private company or individual capitalists to undertake its completion. It is known that, while hundreds of miles of railroad have been constructed in England, and thousands of miles in America, private enterprise in Ireland has been driven to call in the assistance of the state to complete a line of six miles in length!—that, while the public ear has been assailed by private speculators proclaiming the projects they have in view, and while acts of Parliament have been obtained to enable them to execute their vast designs,

—beyond the fragment we have named, a solitary inch of railway is not to be discovered from one end of the island to the other. Before our eyes lies Belgium, whose government wisely refused to let the interests of the universal nation wait upon the wisdom or the selfishness of private speculation. We have seen that country covered, in the course of a few years, with a net of railways, constructed by the government, at an expense considerably less than the cheapest undertaking of the kind which private enterprise in England has as yet accomplished—conveying passengers for about one-third of the fare demanded in England—multiplying the traffic of goods and passengers at a rate with which private enterprise cannot compete; and yet, despite of all facts, we are told, that Ireland must await the activity of private enterprise, and that the Government should not act upon the plan which has already conferred upon Belgium benefits surpassing the largest expectations of the enlightened policy by which it was adopted.

Far be it from us ungratefully to depreciate the incalculable gain which society has derived from the vigour, intelligence, and wealth of individuals, actuated by that spirit of commercial daring which has made the name of the British capitalist illustrious; nor do we hesitate to admit the truth of the proposition that the interest of the private capitalist, and that of the community are, in general, identical; but we are mistaken if it require more than a glance at the distinct and anomalous nature of railways to discover, that scarcely a reason can be assigned for the great results which have generally flowed from giving unrestricted scope to private enterprise; or advanced against interference with that great principle, which does not likewise go to prove, that from railways originating with, and managed by individuals, the community at large can never derive the full advantages which these establishments are capable of conferring upon it.

To what causes are we to trace the fact that the interests of society have been best promoted by leaving the operation of private enterprise free and unfettered? First, to that feeling of private interest, which urges each individual to exert his every faculty, and employ his store of wealth, in such a way as to distance his competitors in obtaining the favour of that public on whose countenance and support must depend the profit which his industry or capital may gain: next, to that perfect freedom of competition which brings into the field of generous rivalry, the entire skill, energy, and enterprise of the community; and, lastly, to that supreme dominion held by the public over all these competing interests, which enables them to select from out the achievements thus submitted to their choice such

of them as best deserve their favour, because they best promote their interest. Thus it is that the wealth, the talent, the energy of the community are ever called forth, and made subservient to the public weal.

But let us see what the nature of a railway is, and then consider how far private undertakers, when entrusted with the management of such a work, are likely to confer upon the public all those benefits which such an instrument is capable of producing. Let us see how the causes which, in other instances, render the achievements of individual enterprise so triumphant, will operate to carry into full effect the powers here entrusted to its control; how far the individual capitalist will be induced by his interest, or compelled by competition, or driven by his dependence on the public, to call into full operation the capabilities of a system of which he is the supreme and irresponsible master.

The immediate effect of the establishment of a railway is to invest the proprietors thereof with a monopoly of the closest kind; to extinguish instantaneously and effectually all competition, and to place the community, in some of its most important concerns, completely at the mercy of individuals;—endued with no motive of action but their own selfishness, swayed by every gust of prejudice and passion, and too often as profoundly ignorant of even their own real interest as they are exclusively devoted to its advancement.

‘So great are the powers,’ say the Commissioners, ‘so vast the capabilities of a railroad, that it must, wherever established, at once supersede the common road; and not only will all the public conveyances now in use, disappear, but even the means of posting will, in all probability, rapidly decline, and eventually, perhaps, cease to be found along its line. These effects may be expected as the necessary consequences of opening a railway. Its superiority is too manifest and decided to admit of rivalry; it possesses almost unlimited means of accommodation; no amount of traffic exists on any road, or is likely to exist, which a single railway is not capable of conveying; no concourse of passengers which it cannot promptly dispose of; the velocity of the locomotive, when impelled even at a very considerable reduction of its full power, surpasses the greatest speed which the best appointed coach, on the best made road, can maintain.’

The monopoly of the company is complete from the moment of the railway's opening. The salutary dread of competition can never stir the activity or ruffle the repose of the railway monopolist, who finds himself, in a moment, invested with a despotic power to which the best interests of society must succumb. Private enterprise, of course, selects for its field of exertion those portions of the kingdom where the most extensive intercourse



**promises the largest profit. The main avenues throughout the country cease to be the property of the state; and are handed over to the absolute possession of monopolists placed beyond the reach of rivalry or control.**

‘ They are enabled to establish a monopoly, in the most extensive sense, and to keep the intercourse of the country entirely at their command. The rate of speed, the choice of hours for departing, the number of journeys in the day, rest at their discretion; and, as they have the unlimited right of fixing the charges for the conveyance both of passengers and goods, they then have an opportunity of repaying themselves, not only for the legitimate costs of constructing and maintaining the Railway, but for all the heavy expenditure incurred, either through their own extravagance, or in consequence of the various impositions practised upon them. Thus, every item of unnecessary expense falls eventually upon the public.’

Thus, it is evident, that competition and subservience to the public interest—those causes which so effectually call forth the energies of private enterprise—cease to operate in the case of a railway company; that to no motive but their pecuniary interest can the community look for any the least attention to its convenience. It may be said that the community will benefit by the operation of this motive to this extent at least, that so much accommodation will be afforded by the company to the public, as will keep down competition by the superseded roads. This may be admitted; but how slight need the alarm of such competition be, when it is remembered that the locomotive has only to put forth one-third of its powers to render the road again a desert. The vast expense incurred by increasing the velocity of the locomotive,—an expense which it is well known increases in a proportion considerably greater than the speed,—will teach the pecuniary interest of the company to reduce the velocity to a rate not much exceeding the conveyances which formerly plied on the road. The fare, likewise, will increase to something less than the fares formerly demanded on the road; and thus will the public, while deriving assuredly some advantages from railway travelling, which will always preserve a superiority to that which it has superseded, be deprived of innumerable benefits which the mighty power of the instrument we are considering might, if intrusted to other hands, confer upon them.

‘To illustrate the complete monopoly which the railway companies conceive themselves to possess, we need only refer to an argument advanced by one of them before a Committee of the House of Commons, for some exorbitant demand made upon the post-office for carrying the mails. It shows how fully the com-

panies are already convinced that the time and convenience of the community are at their mercy.

‘ In order to justify the demands of one of these companies, it was stated, that the entire expense of the night service of trains for conveyance of the mails, including all the watchmen and gatekeepers along the line, &c., must be considered an extra expense, because there was reason to believe that all the passengers who accompanied those trains, would still be customers by day if the night trains did not run.

‘ Now, not only is the general dispatch of business materially promoted by the power of travelling by night, but many persons, for various reasons, set a high value upon the saving of time thus effected. This is proved by the fact of night travelling being resorted to so commonly, notwithstanding the manifest privation of ease and comfort that attends it; and yet, according to the above reasoning, the public are to be precluded from this advantage, because the railway establishments are sure of the passengers, at the times best suited to their own interest and convenience. If they are to be regulated by such a principle, the expense of night trains, necessarily greater than any other, will not be incurred, nor that of a greater number by day, than may be absolutely necessary for the conveyance of all the passengers, in the most crowded and economical manner; and these arrangements may and will be made, not only to obtain a moderate return for the capital expended, but where the difference may tend to increase enormous profits, by a small addition.

‘ This is the manifest consequence of an absolute monopoly. The parties have only to adapt their accommodation for the public, to the precise extent that will keep down any competition by the roads; and this may be easily effected.’

It will be said that the principles we have laid down go to establish, that those railroads which, in England, have absorbed the entire intercourse, and turned the high roads into deserted wastes, should not have been thrown so absolutely into the hands of individual enterprise; but that the state should have either undertaken their construction, or imposed some control upon their management. Most confident are we that the legislature acted with no little blindness, in confiding the monopoly of concerns so important as the avenues of public communication, to the uncontrolled possession of private capitalists. When we see the lavish expenditure incurred in works of this description—when we see enormous sums awarded to landed proprietors, not as a compensation for property injured, but as a bribe for their concurrence in projects from which none will benefit more largely than themselves—when we see the shameful waste of money in fictitious contests between opposing lines, got up by speculating and scheming projectors, before an act of incorporation can be obtained—and when we remember that this cost of construction, this extortion of proprietors, this harvest of projec-

tors, must all eventually swell the fare to be imposed upon the passenger, and so far throw an obstacle in the way of intercourse, we cannot but regret that the state has not adopted measures to reduce expenses, which will ultimately be saddled upon the community. And when, in addition to the cost of the original establishment of a railway, we observe the despotism already exercised by its proprietors over the pockets, the time, the convenience, and the safety of the public, submitted to their caprice,—when we find fares raised to the utmost that the public will consent to pay—the rate of travelling entirely incommensurate with the speed the country might reasonably expect—when we see the press teeming with instances of negligence the most gross, and regulations the most capricious and unjust,—we deeply lament that a matter so peculiarly of public moment has not from the first been made a national concern.

We admit the truth of the proposition, that the gain of the capitalist can rarely be a loss to the country; but if to no other cause of advancement a country be so much indebted, as to every fresh facility that can be given to public communication—if it be the immediate and inevitable effect of such facility to increase the commerce, promote the traffic, and augment the revenue of the kingdom—if the gain of the nation in such a case be of a magnitude that overshadows the largest profit that the individual proprietor can obtain—then, is it not clear that every farthing of profit made by the railway proprietor is an injury to the national welfare, because an unnecessary clog upon communication? When the receipts of a railway cover the expenses of its maintenance and repairs, and the interest of capital invested in it, we conceive that enough has been done:—to produce this result, not to gain a profit, is the principle that should regulate the amount of the fares. It is on this principle that the Belgian Government has acted in the establishment of the successful system of railroads, with which that fine country is already intersected. The end there aimed at is, not the gain of the individual, but ‘the extension of the traffic and communication of the country to the utmost limits of the public capabilities, at the lowest rate of charge at which the original outlay can be reimbursed.’

But the plan acted upon in Belgium, where the government has taken into its own hands the construction of railways, merits the close attention of every one who would dispassionately discuss the question, between the relative advantages of railways left to the energy of individual enterprise, and those constructed by the state. In 1834, the law authorizing the Government to execute their project was passed; and in August last, two-thirds of the entire length of the lines proposed had been opened

to the public :—the whole length will be completed before the expiration of another year.

We shall compare the system adopted in Belgium with that which prevails in England. In the former the state—in the latter a private company—is proprietor of the railway. The comparison will illustrate in the clearest manner the fallacy or the truth of the principle for which we have been contending.

In England, no railway is undertaken until the interest of the private speculator induces him to undertake its construction—his own individual profit is the chief and only object present to his mind. Already have the most profitable lines of traffic been seized upon by the private capitalist; the mischievous effect of which is, that the country is effectually deprived of the incalculable advantage of a General System of public communication. The most productive portions of the public lines having fallen into the hands of private companies, their prolongation to Edinburgh, to Glasgow, to Holyhead, to Milford-Haven, &c., cannot now be accomplished without the interference of the state, and an expenditure of public money which promises an inconsiderable return. The country can only now obtain a system of railways at a cost which will more than counterbalance any gain which it may derive from the profit of the private capitalist;—assuming that profit not to be, as we have ventured to suppose, a public evil, because an obstacle to public intercourse. Let us now consider the object aimed at by the Belgian Government in undertaking the construction and the management of the railways of that kingdom. ‘The undertaking,’ says the Report presented last November by the Minister of Public Works, ‘is regarded by the Belgian Government as an establishment which should neither be a burthen nor a source of revenue, and requiring merely that it should cover its own expenses; consisting of the charge for maintenance and repairs, with a further sum for the interest and gradual redemption of the invested capital.’ Thus has the Belgian Government, by taking the work into its own hands, been able, in the course of a few years, to accomplish a system of railway communication, having for its single object the benefit of the entire community; while England, by permitting private enterprise to monopolize the productive lines of traffic, is deprived of a General System of improved intercourse, and in the avenues of her most extensive traffic sees, too late, the public welfare of the nation sacrificed to private monopoly.

Let us compare the preliminary steps towards the construction of a railway in Belgium with those taken in England. We quote from the ‘Report of the Statistical Society on Public Affairs in Belgium.’

‘ The first step which the Belgian Government took for the accomplishment of its object was, to employ a number of competent engineers to survey the kingdom, and to determine the main lines with reference not only to the general features of the country, but also to the interests of the several large towns, and to their internal and foreign relations. On the first of May, 1834, a law was passed authorizing the government to carry their project into execution. Mechlin was taken as the centre of the system, with four branches extending from that town, in different directions, to each frontier.’

*The Report then gives a summary of the lines resolved on, and goes on to state—*

‘ The people have had the advantage of a much earlier introduction of this important means of communication than if the undertaking had been left to private speculation—without risk to individuals—without the interference of private interests—on lines, perhaps, which of themselves would have offered no temptation to private enterprise, but which, as part of an extensive system, will repay, either directly or indirectly, the money expended upon them. The government will, in all probability, recover its outlay from the profits of the undertaking, but will assuredly be repaid by an augmentation of revenue arising from the increased commerce and traffic throughout the kingdom. If it be objected that the government will be enabled to exercise too despotic a power over the means of public communication; the experience of similar private undertakings in our own country may give rise to a question whether the control of the state is likely to be more absolute than that of the directors of a chartered railroad.’

Look now at the proceedings, as they are described by the Railway Commissioners, attending the birth of a railway project in England; *always bearing in mind that every farthing of the enormous expense incurred therein, must fall eventually upon the passenger, and thus impose a clog upon communication.*

‘ The plan of a railway in these countries originates, as already mentioned, in nineteen cases out of twenty, with an engineer, solicitor, or other ingenious projector, who conceives and draws up a proposition calculated to be attractive.

‘ The plan is laid before a certain number of capitalists and associates, who form a company, collect a sum of money for the purpose of proceeding with detailed surveys and the preparation of a bill.

‘ When arrived at that point, the engineer, the solicitor, and the salaried agents obtain very lucrative employments.

‘ The survey is made, prospectuses and advertisements issued, and the share list filled up, *chiefly by parties who look to profits by dealing in shares.*

‘ This list is filled with more or less facility, according to the attractions held out, and likely to be maintained for the necessary period; frequently the influence and reputation in such concerns of the engineer or solicitor will be sufficient for the purpose.

‘ The bill is presented to Parliament ; and, if it be strenuously opposed, particularly by a rival company, then commences the rich harvest of counsel, solicitors, engineers, and persons summoned and retained in London for the purpose of giving evidence : discussions are entered into respecting every abstract professional matter connected with railways : the principles of curves and gradients, of friction and gravity, are investigated—questions on which, in many cases, the counsel, the witness, and the court, are all equally ignorant. Then a formal effort may be made, and perhaps with success, to reject a measure, after an expenditure of tens of thousands of pounds, not on account of some very essential grounds of objection, but frequently for some such trivial cause as that a notice to the proprietor of a small piece of waste land was left at No. 23, instead of No. 24, in a given street.

‘ Thus a project, though possibly of great value (for that does not alter the case), may be defeated for two or three sessions of Parliament, having the whole to recommence each time ; and the same process would have to be gone through before the committee of each house, but that the Lords do not admit of so discursive a system.

‘ After the company has once battled its way, at an enormous expense, through Parliament, it has still to contend, under many disadvantages, with the landed proprietors and others to whom compensation is to be made ; after which it has its own way, *and is in a condition to make reprisals upon the public for all these unnecessary expenses and vexations.*

‘ These are among the natural consequences of leaving such undertakings (according to the received popular notions), entirely to the exertion of private capital, ingenuity, and enterprise ; when it is manifest that the projects thus urgently enforced are often taken up for mere temporary objects, and that the great body of the same parties, having made their account of them, will readily enter upon others whose only prospect of success may depend upon the ruin of the first.’

Having contrasted the motives which, in the two countries we are considering, have led to the establishment of railways, and the expenses attending their commencement, we might naturally conjecture that the wasteful expenditure in the one country, and the exemplary economy in the other, would be followed by a corresponding cost of construction. And such is the result. In Belgium, the average cost of the lines already completed amount to about £8526 a-mile. The lines executed in England, have cost from £30,000 to £40,000 a-mile. The *greatest* expense incurred in the execution of any portion of the Belgian line is about £10,000,—equal to the *lowest* sum incurred in the construction of the cheapest line in England ; while it does not amount to one-fourth of the expense which hundreds of miles in England have cost.

Here, again, let us remember that all this expenditure must ultimately fall upon the public, and retard communication ; and that an immense portion of it might have been avoided, had the



ing the principle acted upon in Belgium; in other words, for looking only to such a return from railways as may be sufficient to cover their expenses, instead of (by making them a source of private profit), counteracting those incalculable benefits which they are peculiarly adapted to afford the labourer and the artizan. How quickly the lowest classes avail themselves of the facilities which cheap travelling affords them, we may judge from the fact, that of the total number of passengers conducted by the railway between Brussels and Antwerp, during the six months ending October, 1836, more than nine-tenths were those using the cheapest class of carriages.

The effect of low fares, and increased facilities of intercourse, in multiplying the traffic of passengers, is strongly exemplified by the following statements; which we quote from the same 'Statistical Report,' we have already referred to; in which the increase of traffic on the Liverpool and Manchester railway is compared with that on the Brussels and Antwerp line.

'The Liverpool and Manchester railroad offers a very favourable comparison for this country, as the intercourse between those two towns is perhaps greater than between any other two places at an equal distance. The number of passengers booked at the company's offices on that line, since its opening, has been as follows:—

In 1830 (from 16th September to 30th December),	-	71,951
1831 (the whole year),	- - - - -	445,047
1832,	" - - - - -	356,945
1833,	" - - - - -	386,492
1834,	" - - - - -	436,637
1835,	" - - - - -	473,849
1836,	" - - - - -	522,991

The population of the towns on this line, exclusive of the adjacent districts, which teem with inhabitants engaged in commerce and manufactures, was, in 1831, Liverpool, 196,694; Manchester, 270,963; Warrington, 19,153;—total, 486,812. This number could not have been less, in 1836, than 523,000, which is the number of passengers using the railway in that year. *On an average, therefore, each inhabitant may be supposed to take one trip in a year.*

'In Belgium, the number of passengers booked at Brussels, Mechlin, and Antwerp, inclusive of two intermediate stations, in each year since the opening of these lines, has been as follows:—

	Brussels.	Mechlin.	Antwerp.	Total.
1835 (8 last months),	- - 215,342	206,097		421,439
1836 (Antwerp only 8 months),	379,588	265,048	226,671	871,307
1837, - - - - -	475,155	361,317	305,995	1,145,467
1838 (only 10 months),	- - 511,326	338,351	299,146	1,148,823



‘ The population of these three towns did not, in 1838, amount to one-half of that on the English line, namely, Brussels, with its suburbs, 134,302; Mechlin, 22,895; Antwerp, 75,363; total, 232,960; and neither the population nor the commercial activity of the surrounding districts can be compared with those of its competitor; *yet the intercourse in 1837 was more than twice as great, and with reference to the difference of population, was five times as great; the average number of trips to each inhabitant having been five per annum.* A comparison with the intercourse on both lines previous to the formation of the railroads is equally favourable to the Belgian undertaking. On the Liverpool and Manchester line the average number of passengers which the coaches carried, in the year 1825, was estimated at 450 daily, or 164,250 per annum. The number actually conveyed by the railroad, in 1836, was 523,000, showing an increase of 218 per cent., or rather more than three times the former number; the fares having been reduced from 10s. and 6s., to 5s. 6d. and 4s.—the higher rates one-half, and the lower only one-third. On the Belgian line the number of passengers between Brussels and Antwerp, before the opening of the railway, is said to have been 80,000 yearly. The rates of conveyance have been reduced from 4s. and 2s. 6d., to 2s. 6d. and 1s. 0½d.; the higher fares two-fifths, and the lower three-fifths; and in 1837 the number of passengers booked at Brussels and Antwerp, excluding Mechlin, whence a portion of the passengers were proceeding on other lines of railway, was 781,250, showing an increase of 876 per cent., or about nine and a half times the former number.’

How completely, then, do the results of the system acted upon in Belgium bear out and confirm our principles. In every point of view is the superiority of that system apparent. If we look to the cost of construction, we find it on an average not one-fourth of that incurred in England. The fares in the latter country we perceive three and four times greater than those charged in Belgium; and pressing with peculiar and mischievous weight upon the lowest classes of society. We see in England, under the operation of those heavy fares, an increase of traffic less by two-thirds than that which cheapness of travelling has created in Belgium; while we find the lowest classes of the Belgian community enabled to avail themselves of, and actually enjoying, that facility of intercourse so intimately connected with their prosperity, from which we see the English labourer debarred.

Surely, then, theory and fact triumphantly bear out the proposition—that the state should undertake the establishment of railways—a work, on the proper management of which the welfare of the community so largely depends; and that the advancement of that community, and not the aggrandizement of individuals, should be the end proposed.

But, with respect to Ireland, we have no choice of systems;

the question is not between the execution of railways by private enterprise, or by state intervention ; but between the latter principle, and the utter impracticability of establishing railway communication at all. That private enterprise would undertake no more than a few profitable portions of the great lines recommended is certain ; for it is demonstrated that, upon the entire length of these lines, the return to the capitalist would be far from a fair remuneration for his outlay. The state must, therefore, interpose, or we must make up our minds to have no railroads in Ireland ; and to forego all the advantages resulting both from the employment afforded by the construction of such mighty works, and the development of the natural resources consequent upon their completion and full activity. And we are to deprive Ireland of these vast benefits, because they are not to be secured by the energies of private enterprise ; as unquestionably they have been to a certain extent in England. We are not to act upon the principle of state intervention in Ireland ; because in England the exertions of individual undertakers have anticipated public interposition. In almost the only instance where the course of policy pursued in England is utterly inapplicable, and certain to fail in Ireland, the principle of uniformity is contended for. When analogy was in favour of Irish interests, as in the case of Municipal Institutions, how the argument was scoffed at—with what scorn did the Tory chiefs repudiate it ! When it is adverse to those interests, as in the present question, it is curious to observe with what pomp they parade the topic, and with what fervency they cling to, and extol it. The just analogy was ridiculed and rejected ;—the false one is held up as a sacred and fundamental principle. It was happily observed by the noble Secretary for Ireland, in bringing this vital question under the consideration of Parliament,—‘ So far from the ‘ treatment in some matters being necessarily the same for this ‘ country, and a country situated like Ireland, it is singular that ‘ the facts in some instances prevent it, and the present is a ques- ‘ tion to be resolved by Facts, and not by Theories.’ From which his Lordship went on to exhibit, in the following eloquent strains, the striking discrepancies between the two islands :—‘ Is Eng- ‘ land in want of the intervention of the state ? Look at the sur- ‘ face of England, and then contrast it with the surface of Ireland. ‘ In the one country the soil is improved by all the matured pro- ‘ cesses of agriculture, in its produce, and its wealth distributed ‘ through countless channels, its mills and its workshops are clus- ‘ tered in every division, its factories are gathered on the banks ‘ of every river, and forests of masts are thickening in every port ; ‘ in the other, the country is scantily cultivated, its plains are yet ‘ more fertile, and yet more level ; but the hand of industry is not

‘heard on every side; and on the yet more spacious and still  
‘more rapid rivers, the easily counted sails drop down to the  
‘comparatively deserted harbours.’

The true policy is to aim in both countries at the same ends; and to shape our course to their attainment with prudent regard to the differences which the operation of various causes has, in the lapse of ages, produced between them. In the case before us, if private enterprise has answered, in the one country, all the great objects of public employment, commercial activity, and social improvement, to a degree that has excited universal admiration and astonishment; and if it is certain that the same effects are not to be expected in the other, from the operation of the same cause, although, from the working of a different principle they may be confidently reckoned on,—surely the wise course is to introduce and apply the latter; and not to sacrifice the attainment of results the most beneficial to Ireland, because they are not to be arrived at by the same steps which have secured them for a country totally different in all the circumstances that affect the question.

The principle, besides, which is now repudiated in the case of Ireland, happens to be one of those few principles on which the British Government has heretofore acted in that country with complete success. When Sir Robert Peel employs the fact of the growing commercial activity and agricultural prosperity of Ireland, as an argument for leaving railways to the chances of private enterprise, he forgets or overlooks the circumstance, that these very advances are to be mainly attributed to the wise and seasonable interference of the state; in setting on foot and executing in that country various public works of the first order of utility, which, but for that interference, would never have been undertaken. He forgets that the present facilities of internal intercourse enjoyed by Ireland are mainly attributable to the advances of public money in enterprises, which, to the private capitalist, held out no encouragement;—he forgets, too, that his own official career in that country was honourably distinguished by more than one important undertaking, in which the friendly assistance of the state accomplished what the private capitalist was either too timid or too prudent to engage in. To tell us now that we must wait for the further progress of the island, before he will sanction the extension of the self-same policy to railways, is surely grossly inconsistent. Let it be recollected that it is no gift of the public money that is asked for: the appeal is not to the generosity, nor even to the justice of the British nation. No grant is solicited, like the Million that we presented so handsomely to the parsons, or the Twenty Millions that we gave so munificently to the planters: the proposition is no more than a

Loan ; a loan twice secured,—*first*, by the produce of the lines proposed ; *secondly*, by the counties through which it is intended to carry them ;—a loan, as productive and advantageous to the lender as the borrower, advanced as it would be to increase the strength and the resources of the empire, by improving and exalting the condition of one of its greatest and most important limbs.\* If ever a proposition was recommended by the true principles of economy, it is the proposition in discussion. If ever a project promised its undertakers a rich return, it is the project of these great and beneficial works. The measure recommended is one of Work for the unemployed, and Food for the hungry ; a measure of humanity, a measure of protection, a measure of security for the peace of society, a measure promoting the interests of all classes—giving scope to every improvement now in progress—opening a thousand avenues to public enterprise, and unlocking a thousand springs of wealth in a country whose great energies have too long slumbered, and whose vast resources have been too long unexplored. By measures such as this we may hope to assimilate Ireland to our own condition ; and strengthen the bonds of a union which has hitherto been held together too much by arms, and too little by redress and justice. If to make Ire-

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\* It is almost impossible to conceive how a loan of money can be more amply secured than that required for the Irish railways. The sum demanded for the construction of a railway from Dublin to Cork, with branches to Limerick and Clonmel, is L.2,500,000. The repayment of interest on this, at the rate of  $3\frac{1}{2}$  per cent., to the Government, would require an annual sum of L.87,500. The Commissioners calculate upon a return of 4 per cent., or L.100,000, upon the sum invested in the construction of the railway, which would exceed the sum required by L.12,500. This calculation has been impeached by private speculators and their supporters as too low ; but supposing it to exceed, by  $1\frac{1}{2}$  per cent., the return which will actually be made—supposing the railway to yield but  $2\frac{1}{2}$  per cent. on the sum expended upon its construction, or L.62,500, there would remain but L.25,000 to be raised by the counties and cities through which the railway is to pass. As there are eleven counties and three cities so situated, the sum required from each would amount to less than L.1800 per annum, or an increase of something about 1s. 5d. in the pound on the present Grand Jury assessments—a sum which would be repaid tenfold by the advantages likely to result from the establishment of railways. We are glad to find that the Grand Juries of the several counties alluded to, have not been deterred by the improbable supposition of the railway not fulfilling the anticipations of the Commissioners, from giving to the plan adopted by the Government their cordial support. We are glad to find them generally petitioning Parliament for the measure.

land *English* is our object, let us give her our English habits as well as our English laws, and our English comforts as well as our English institutions. Give her work for the industrious, and bread for the people. These are the foundations of public tranquillity amongst ourselves. If we enjoy a superior peace and a superior morality, these are the causes. Give Ireland the same advantages, and we may retrench the vast expenditure for police and military, rendered necessary by the want of the humane and civilized securities for order.

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ART. VII.—*Memoirs of the Life and Adventures of Colonel Macaroni, late Aide-de-Camp to Joachim Murat, King of Naples.*  
2 vols. 8vo. London: 1838.

**T**HIS is a singularly interesting and entertaining publication, and although written hastily, and with little method, it may well stand by the side of the most approved autobiographies, from the number of strange scenes in which the adventurous life of the author has been passed, and the great frankness and sincerity with which he gives his description of them. He is evidently a man of great spirit, ingenuity, and resources; and, like others of this caste, he has had much to complain of in respect of worldly success; although, like them too, he is willing to make an unequal distribution of the cause of his failures, and to ascribe some things to fortune which belong to the province of wisdom and prudence.

The Colonel is of a noble Italian family, settled for ages at Rome, and proud of tracing its descent from the Maceri of antiquity. But his father entered into commercial speculations, first in Italy, then in England; and the beginning of this work is employed in blaming for his misfortunes the conduct of his English partner. He himself was liberally educated by his parents, towards whom he displays an amiable affection and piety throughout his narrative. The feelings connected with domestic ties, indeed, appear to predominate in his nature; and the present publication is destined to contribute towards his children's support. It is none of the least pleasures attendant on a perusal of these volumes, that the author's manner of viewing all subjects is original; he is often wrong, and frequently pushes his opinions to violent extremes; but, without any affectation of

leaving the ordinary tracts, he naturally falls into novel and unexpected views.

Of the curious matters which this book contains, though we cannot afford space for extracts, we must give the following letter from Bonaparte to Talma, the celebrated tragedian. We only wish our author had favoured us with the original from which he translates.

‘ My dear Talma,—I have fought like a lion for the Republic ; but, my good friend Talma, as my reward, I am left to die with hunger. I am at the end of all my resources : that miserable fellow Aubry (then Minister of War) leaves me in the mire, when he might do something for me. I feel that I have the power of doing more than Generals Santerre and Rossignol, and yet they cannot find a corner for me in La Vendée, or elsewhere, to give me employment ! You are happy—your reputation depends upon yourself alone. Two hours passed on the boards, bring you before the public, whence all glory emanates ; but for us soldiers, we are forced to pay dearly for fame upon an extensive stage, and after all we are not allowed to attain it. Therefore do not repent the path you have chosen. Remain upon your theatre. Who knows if I shall ever make my appearance again upon mine ? I have seen Monvel (a distinguished comedian and dramatic writer) ; he is a true friend. Barras (President of the Directory) makes me fine promises ; but will he keep them ? I doubt it. In the mean-time, I am reduced to my last sous. Have you a few crowns to spare me ? I will not reject them, and I promise to repay you out of the first kingdom I shall win by my sword. How happy were the heroes of Ariosto ; they had not to depend upon a minister of war !—Adieu, your affectionate

‘ BUONAPARTE.’

‘ *Toulon, January 3, 1794.*’

Some singular anecdotes of Lady Hamilton, and of the Neapolitan Court, will amply gratify the lovers of such reading ; but there is more instruction to be found than pleasure to be derived from contemplating the perfidy, cruelty, and oppression exhibited in such details.

As the Colonel was Murat’s aide-de-camp, it may be supposed that he gives a full account of that brave but imprudent man’s life ; and our estimate of his courage, always very favourable, rises by these anecdotes to the highest pitch, and it seems to have been combined with a generous and manly disposition. The author was with this gallant soldier at his final capture, and in all his extremities did not forsake him. The particulars of these events are told in a most lively and entertaining manner ; and give the Colonel occasion to enter upon many circumstances

**ART. VIII.**—*Ancient Scottish Melodies, from a Manuscript of the Reign of King James VI. With an Introductory Enquiry, illustrative of the History of the Music of Scotland.* By WILLIAM DAUNEY, Esq. F.S.A. Scot. Edinburgh: 4to. 1838.

**I**T is the characteristic, and we suppose the weakness, of each successive age, to consider itself, with reference to its predecessors, as ‘wisest, virtuous, discreetest, best.’ In this comfortable opinion of its superiority, our own is probably not deficient. Still it is fortunate that if we are disposed to estimate our own merits at their full value, our self-complacency has not led us to treat with neglect or contempt the labours of our predecessors; and particularly the earlier efforts of literature, and the first forms in which the rude conceptions of the arts have been embodied. The century which preceded our own was not content with the establishment of its own superiority, without denouncing the labours of most of those who had gone before, and certainly of all preceding the sixteenth century, as little better than barbarism;—totally unworthy either of being collected or commented on. It acted upon the principle of the Turkish tyrants—

‘To secure their reign,  
Must have their fathers, brothers, kinsmen, slain.’

Our own age, on the contrary, has all along had a strong sympathy with the dawns of art, and the first rude efforts of struggling poetry; not unnatural, indeed, considering how much our own tastes have been modified by such influences; and that a species of consanguinity has been thus created between ourselves and our intellectual brethren of earlier times, since something of the same blood flows in our veins. This sympathy and respect has evinced itself in a warm interest in the past;—in a reverential (some may say superstitious) gathering together of all its scattered fragments of song, its floating traditions, the traces of its manners and customs, pastimes, festivals, and religious rites,—in the republication of those rude shows and religious mysteries which marked the very infancy of our drama, or of the wild, unequal, daring, incongruous plays which followed,—and in the careful preservation of the early monuments of art, particularly architectural;—that being,

in truth, the only form in which art can be said to have shown itself in Great Britain before the sixteenth century.

The publication of the present volume, containing by far the oldest collection of Scottish melodies which has yet appeared, accompanied by a preliminary dissertation on Scottish music, of great learning and research, and the general attention which it has excited, is another proof of the same interest and the same curiosity as to the tastes and feelings of our ancestors, which dictated the republication of our earlier romances and ballads, and the works of our older dramatists. We do not mean to say that any musical work is calculated to throw the same clear light on manners and natural character, which is afforded by the publication of the rude memorials of popular feeling as embodied in song. Not but that we are persuaded there is a close correspondence and harmony between national music, and national disposition. It would be singular if the sounds with which a country most abounds should not reproduce themselves in its music. It would be equally so, if the scenery and the climate, which so powerfully affect our associations, and by which, undoubtedly, a grave or lively character is in some measure impressed upon a national genius, should not be traced in those musical sounds which are the most natural channels through which we vent our emotions of gaiety or gloom. There appears to us, then, to be nothing fanciful in supposing, that the Swiss music derives its peculiarities from the mountain echoes among which it has been produced; and vividly reflects the hardy and elastic temperament of a people at once pastoral and warlike;—that the ripple of smooth canals, the undulation of the Adriatic, and the prolonged, melancholy, and monotonous cry of the boatmen, may have given their character to the Venetian *Barcaroles*;—that in the light and dancing measures of France, pleasing and lively, but without deep feeling, we may trace something of the animal gaiety and levity of the country which gave them birth;—or that the plaintive and gloomy airs of the northern nations, have a natural connexion with that more thoughtful and brooding turn of mind, which an ‘in-door existence,’ or a sombre landscape and uncertain climate without, have a tendency to create. We are rather deficient, we believe, in genuine war-whoops, and still more in authentic scalping airs; but we have little reason to doubt that, when Lieutenant Lesmahago’s friend, Ensign Murphy, was brought to the stake by the Miami Indians, the music incidental to the piece would have made one’s hair stand on end; and, in like manner, that if the musical arrangements for the ‘Interrupted Sacrifice’ in the case of Friday had been completed, that interesting negro would have been



roasted to the accompaniment of an appalling tune. Two or three specimens of savage music which are known to exist, are wonderfully in harmony with the wild ferocious character of the nations in which they have their origin: 'were ne'er prophetic sounds so full of woe.' They are strains such as would scatter wild dismay among the ranks of hostile tribes, or form a fit accompaniment to the 'dismal dance around the furnace blue.' Nay, further, we are persuaded that not only is something of national character always impressed on music; but that the music of each age has its peculiarities essentially connected with the general state of the social condition; and therefore likely to render it unsuited to the tastes and habitudes of others. And in that view, without entering on the contested question of the wonders effected by ancient music, we think there is the less reason to regret its total disappearance; since, in all probability, it would have possessed little with which we could sympathize, and a modern audience would probably have had as little relish for a concert, as for a feast after the manner of the ancients.

But while we firmly believe in this harmony between national music and national character, we admit that it is not of that sort which would enable an observer to draw inferences from one to the other, with much security or satisfaction. Even from a nation's poetry, it is hard to gather with accuracy its character at any given period; and still less could we pretend to draw conclusions from any thing so much less determinate, as the representative of ideas, as its music. It is not, therefore, in this point of view that the airs which have been resuscitated in the present volume are interesting; their main importance, certainly, is derived from their value either as musical compositions, or as illustrating the progress of Scotch music. Yet we may notice in passing, that some light is occasionally thrown on manners and history by the mere titles (generally the first line) of the airs which have been thus republished. We see, in particular, evident traces of the closeness of our connexion with France, in the dancing tunes, all apparently French, which it contains;—sarabands, almanes, volts, galliards, currands, brangils, and many more;—from which it appears that our Scotch nobles of the days of the Jamesés, borrowed their fashions in such matters, as their successors have continued to do, from the great original of the dance and arbiter of the elegancies of the day, the Court at Paris.

It so happens, too, that the initial line of the tune often in a manner tells its story; furnishes a hint on which the imagination may work, and tempts the mind to fill up the picture.

Burns had sometimes nearly as slight materials to work upon, in many of those fine compositions, based upon snatches of old songs, which he contributed to 'Johnson's Museum,' or to the publication of Mr Thomson; yet we doubt whether, without these hints, his songs would have been so good as they are. A single line, to an inventive mind, is much. It gives the key-note by which the composition is regulated; it calls up some natural and touching association, which becomes the fruitful parent of many more; the imagination has received all that it required—a suggestion, a direction; and the images and the feelings which are always at the bidding of a creative fancy, readily come thronging back into the memory of the poet, and are fixed in some sportive or melancholy strain.

We observe, indeed, that an attempt has been made, from these fragments of lines, to reconstruct some of the songs in this collection; not, indeed, in similar words, for no attempt is made to give them a character of antiquity; but in such a manner as that the words may harmonize with, and bring out the sentiment of the air. Several of the airs in the 'Skene Manuscript,' which are now in course of publication, with symphonies and accompaniments,\* have been illustrated by original words, and, as we think, with considerable skill and address. They possess, in particular, that cardinal virtue of a song—simplicity; and are free from that tawdry sentimentalism which is the general character of the vocal compositions of the present day. As a specimen of these, we quote the words to the very beautiful old air in the MS., entitled, 'Peggy is over the sea with the soldier;'—a hint which at once suggests the idea of some deserted swain left at home by a coquettish admirer of the scarlet coat, and venting his regrets in song. There could be nothing particularly unpleasing, we think, in hearing the old air wedded to such words as these:—

Peggy, fair Peggy, is over the sea,  
Leaving her country, her kindred, and me :  
Lang shall we mourn  
Ere she return—  
She's over the sea with the soldier !

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\* 'Ancient Scottish Melodies, from the Scottish Songs and Airs of the Skene MS. Arranged with Symphonies and Accompaniments, by G. F. Graham and Finlay Dun.'

Friends that watched o'er her sae lang and sae weel,  
 Hearts that were ever sae loving and leal,—  
     A' are forgot  
     For the scarlet coat—  
 She's over the sea with the soldier !

Scotland's clear burnies and gowany braes,  
 Nights o' saft slumber and innocent days,  
     Changed for the strife  
     Of a rover's life—  
 She's over the sea with the soldier !

Kindness that's humble and hamely to see,  
 Meets little grace in a light lassie's e'e ;  
     Years of true love  
     Maun bootless prove—  
 She's over the sea with the soldier !

But the chief importance of the work, as we have said, consists in its bearing on the history of Scottish music ; and, in this respect, it is interesting in two points of view, both of which bear a considerable analogy to the corresponding services which the republication of the early ballad literature of a nation effects for poetry.

*First*, by fixing at a certain and very early period, the precise state in which some of those airs *then* were with which we are now familiar, and which, since that time, we can follow through various shapes and modifications, it enables us to trace, with some certainty, the fluctuations of musical taste and style during several centuries ;—an advantage analogous to that rendered to the history of poetical style, so far as regards language and versification—the absence or redundancy of ornament, the intermixture or abstinence from ideas of foreign original,—by the publication of an authentic collection of the popular literature at any particular period, so as to afford us safe materials for comparison with those that preceded and followed. And if, as is most probable, judging from what has already taken place, the publication of the present manuscript, lead to the discovery of others of still earlier date, its importance, as illustrating the progress of Scotch music, will be very greatly increased. We observe the learned editor notices, that ‘ there is reason to believe that, in the fifteenth and sixteenth centuries, *if not before*, the best of the Scotch songs and melodies had been committed to notation ;’ and he ascribes their subsequent disappearance, partly to the ravages of time, but still more to the

active measures adopted in Scotland about the year 1550, by the ecclesiastical and civil power, for putting down 'all rhymes and 'ballads reflecting upon the Roman Catholic hierarchy and its 'members;'—a purpose for which the popular airs, united to coarse, satirical words, and adapted to 'modern instances' of a scurrilous and obscene cast, (of which, in the existing state of the Catholic Church, there was no want,) had been found, in Scotland, as in England, France, and Germany, to be extremely well adapted. We know not on what foundation the Editor grounds his statement as to the probability of the popular melodies of Scotland having been committed to notation as early as the fifteenth century, *if not before*; but, if such was the case, it is extremely probable that some of these collections may yet be resuscitated, by the curiosity awakened, and the line of enquiry set on foot, by the publication of the present Manuscript; and that thus some of the contested questions as to the originality of the Scottish music, the exact nature and extent of the foreign influences by which it may have been modified, and the share which James the First had in its improvement may be settled; and such absurdities as that of ascribing its reform and present character to Rizzio may be so conclusively set at rest, that it shall be impossible, even for such persons as the author of 'Music and Friends, or Pleasant (?) Recollections of 'a Dilletante,' gravely to repeat them. Till we saw this nonsense,—which the good sense of Hawkins, and Burney, and the Italians themselves, who are not disposed, of course, to under-rate their own musical influence on other countries, had repudiated,—again brought forward in a work bearing the date of 1838,\* we were rather disposed to think the discussion of the question in Mr Daune's Dissertation somewhat a work of supererogation; conceiving the notion itself to be one of those shadowy phantoms which had been laid for ever in its grave, by the spell of argument and common sense.

But a more important service is rendered both to music and poetry, by the republication of the older strains of each; for, in both arts, there is a tendency towards the same malady, which, in both cases, is cured by similar appliances. Both poetry and music seem at times to forget that their nature is essentially popular; that it is in the element of the common air that they 'must live, or have no life;' that the one may gain the applause of scholastic critics, and the other of *cognoscenti*, and yet that

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\* 'Music and Friends.' By William Gardiner. Lond. 1838.

both may deservedly fall cold and lifeless on the public ear, and be read or listened to with a feeling of listlessness or weariness, which we are afraid openly to express, but which we do not feel the less, notwithstanding the assurances we receive from the composers themselves that we ought to be excessively delighted. Thus, in poetry, as soon as civilization reaches a certain stage, and the period of action, and of the description of action, has begun to be superseded by science and philosophy, and the charm which lies in mere diction begins to be perceived, there commences a leaning towards the choice of subjects with which the mass of the people have few sympathies in common;—the cultivation of a species of learned and scholastic poetical philosophy, Platonic or otherwise, as the case may be; and a corresponding anxiety for the creation of a style unattempted before in prose or rhyme, altogether remote from ordinary usage, creating new words, or employing old in new senses;—a tendency towards the sequestering of poetry from those universal topics and simple forms of expression by which it connects itself with humanity in general, and making it not a spontaneous expression of feeling, an inspiration coming from the heart and finding its way to it, but a mere matter of the head,—an art, a mystery, requiring a poetical apprenticeship for its attainment, and appealing, in its creations, mainly, if not entirely, to the sympathies of the initiated. From this exclusive and technical character, it has been more than once reclaimed by the well-timed republication of the earlier ballads, and primitive lyrics of our ancestors—rough, manly, energetic, spirit-stirring; and, amidst all their vulgarities, and redundancies, and conventional lines and phrases, rewarding us, from time to time, by some touch of nature which makes intervening centuries disappear between us, and shows us that, when the chord of genuine feeling is struck, even by an unlearned hand, the whole world is kin. Such was the service rendered to English poetry, during the period of barrenness and cold imitation of the greater models of our intellectual school of poetry, Dryden and Pope, by the appearance of Percy's *Reliques*, in 1765. We are aware that the editor of the *Reliques*, in order to meet what he supposed to be the taste of the public, in many cases modernized and altered portions of these old ballads—very often for the better; but still enough of the old materials remained, to entitle the work to the name of '*Reliques of Ancient Poetry*.' They proved the magic which resided in simplicity and in strong feeling, associated as they were with much against which a cultivated taste revolted; they recalled to our recollection the essentially popular character and destination of

poetry; and mainly contributed to the formation of that school in which we see an attempt made to blend modern depth with antique plainness—the comprehensive philosophical views which experience has suggested, with the contemplation and delineation of our natural feelings, in their humblest forms, and in the simplest language;—of which we witness the finest examples in some of the lyrics of Wordsworth and Southey.

In music, again, we find a tendency towards the same aberrations. The simple, though it produces its effect, soon appears too easy; difficulties are courted, merely for the sake of being overcome, and of thus displaying the technical skill of the performer. Sometimes the search after novelty leads the composer to venture into the field where music is weakest,—that of direct imitation of natural sounds by musical notes,—a species of rivalry, the hopelessness of which makes us feel the good sense of Agesilaus' answer, when requested to hear a man sing who could imitate the nightingale,—‘I have heard the nightingale herself.’ Nay, musicians have attempted not merely to imitate sounds by notes, but even to represent motion—to describe the seasons—to picture sunrise or sunset—to convey the impressions of colour—or even to narrate the incidents of a battle or a campaign; for the ingenious organist of Ferdinand III., Froberger, is said to have presented a very striking musical representation of Count Thurn's passage over the Rhine, and the dangers of the transit, ‘in ‘twenty-six cataracts, or falls of notes.’\* Indeed, when a taste for this sort of mimetic music is once introduced (the proper sphere of which would be the comic opera), it is wonderful how even the greatest genius gives way to the contagion, and follows the herd,—for a greater than Froberger, Handel, has now and then ventured upon similar tricks of sound. In the ‘Messiah,’ at the passage, ‘I will *shake* the heavens and the earth,’ he has introduced a sort of musical pun, by repeating the word several times on a chain of musical shakes, ‘as if,’ says a critic, ‘the ‘quavering of the voice could represent the commotions of the ‘world.’ And, in his ‘Israel in Egypt,’ he has undertaken to represent, by musical notes, two of the plagues of Egypt, viz. the buzzing of flies and the hopping of frogs.

But even where these elaborate quackeries have been avoided, there is still a tendency, as music becomes more scientific, to diverge more and more from the simplicity of original melody;

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\* Sir J. Hawkins, vol. i. Preliminary Disc. p. 3.

to give an undue predominance to harmony; to render instrumental music a series of *tours de force*, calculated rather to excite astonishment than to give pleasure: and then to make vocal music itself ape the capricious movements of the instrumental—

‘ With giddy cunning,  
The melting voice through mazes running,’

till the proper object of music; the suggestion of pleasing, or tender, or elevating associations, is, in a great measure, forgotten.

It is therefore of the utmost importance, that there should exist a mass of popular song, of which the people are at once the poets and the musicians; from which an infusion of fresh vigour and original melody should from time to time be conveyed into the frame of music, to counteract those tendencies which it acquires in the hands of strictly scientific artists, and to bring it back to its proper vocation, as an art of universal application. From such sources—

‘ Whose birth tradition notes not, nor who framed  
‘ Their nameless strains’—

the greatest of our modern composers have drawn liberally, and with the happiest effect even on music of a scientific character. Mr Daunev accordingly notices, that to the judicious employment of these popular resources ‘ we are chiefly to refer what has ‘ been called the *ideal* system of modern music,—a system at once ‘ scientific and pleasing, and which we find carried to its highest ‘ pitch in some of the symphonial compositions of Haydn, Mozart, ‘ and Beethoven, which not only delight us by the richness and ‘ brilliancy of their harmony and instrumentation, but transport us ‘ into regions of enchantment, by the variety of characteristic associations to which they give rise; and by awakening our imaginative faculties, conjoin with what may be termed the organic ‘ pleasures of the art, all the higher enjoyment of which the ‘ poetical part of our nature is susceptible.’

In this point of view, publications like the present are of great importance, both from the substantial additions which they make to our stock of melodies, and also from bringing before us airs, which have gradually been altered from their original character, in a shape somewhat approaching to their former form,—thus suggesting a comparison between the effects of simplicity and ornament. We read the rough verses which charmed our ancestors, too, with fresh curiosity, and seemingly with a more perfect

understanding of their spirit, when we hear them accompanied by the very notes with which, centuries ago, they were associated in their hours of festivity, and to which we know that so many thousand hearts have vibrated with the emotions of joy or sorrow.

The Skene Manuscript, which has given rise to the present publication (for which we are in a great measure indebted to the patronage of the Bannatyne and Maitland Clubs), appears, from an accumulation of probabilities, amounting nearly to a certainty, to have been noted in great part between 1615 and 1620; and while no part of it is likely to be more recent than this latter date, there is every reason to believe that one portion of it was committed to writing before 1615, and probably about the commencement of the seventeenth century. The manuscript is in the possession of the Faculty of Advocates, to which it had been presented by the last lineal descendant of the family of Skene, and appears to have belonged to, if not to have been actually noted by, the great-great-grandfather of the donor, John Skene of Hallyards, a principal Clerk of the Court of Session in Scotland, who died in 1644. It contained, in whole, 105 tunes, of which the greater part were certainly Scottish,—some with which we were already familiar, such as ‘The Flowers of the Forest,’ ‘Bonnie Dundee,’ and ‘The Last Time I came o’er the Muir,’ but appearing in a simpler, and, as we think, far more impressive form; others of our old acquaintances very considerably disguised, and in some cases, we rather think, inferior to the modern edition of the same airs; and, besides these, and a considerable number of dancing airs, chiefly interesting to those versed in the antiquities of the dance, and certainly of foreign origin, several hitherto unknown melodies of no inconsiderable beauty and musical merit. The airs were noted for the Mandour, a five-stringed instrument of the lute class, then fashionable; and the peculiarity of the mode of notation, which is totally different from that of modern times, for a long while interposed a formidable difficulty to decyphering the musical contents of the Manuscript. That difficulty was subsequently overcome, and the airs reduced to ordinary notation, by Mr G. F. Graham, the accomplished author of the *Treatise on Music*, published in the *Encyclopædia Britannica*.

Of course, although the airs in the Skene MS. cannot be of a *later* date than about the year 1620, it is impossible to say how much earlier many of them were composed; for it is natural to suppose that the collector, in forming an anthology



of Scotch airs, would not confine himself to the airs then current, but would select the best from the whole range of existing tunes, including those which, even at that time, were entitled to the name of old airs. Hence, although a few of the tunes contained in the MS., from their allusions to historical events, may be said to fix their dates, such as, 'Prince James's Masque,' and 'Somerset's Masque,' yet, in most cases, their date is uncertain, and there can be little doubt that among the collection some of very remote antiquity are interspersed with the compositions of a period shortly preceding, and with the ephemeral favourites of the day.

The importance of such a collection, of undoubted authenticity, and clearly traced back to the first quarter of the seventeenth century, will be easily seen, when we advert to the fact, that the oldest collection of Scotch airs which has yet been committed in a printed form to the public was Thomson's 'Orpheus Caldonius,' the first volume of which appeared in 1725, and the second in 1733. Consequently, the present collection is about a hundred years older than the earliest hitherto published. It is quite true, however, that several of our Scotch tunes were known in England—witness Iago's 'Tak' your auld cloak 'about ye,' in Othello,—if that ballad be really Scotch, and not a north of England song; and that others (though none nearly so early as the date of the present manuscript) had even found their way into printed collections before the publication of the Orpheus—particularly into Tom D'Urfey's 'Pills to Purge Melancholy,'—a result which, however desirable, was undoubtedly obtained in his volumes at the expense of decency. A good many of D'Urfey's 'Pills' were Scotch, and certainly compounded, not *secundum artem*, but with most villainous adulteration; for never was the pure spirit and essence of Scottish song mixed up with such an unsavoury mass, in the shape of vulgar, meaningless, or obscene words. In the form in which they were dispensed by the patentee, the pills were sufficiently drastic; but D'Urfey seemed to know his patients' constitution—they throve under a course of cathartics which would have annihilated ordinary frames; and the favour bestowed upon these specimens of Scotch song, even in the unprepossessing form in which they had first appeared, seems to have been Gay's main inducement to borrow several of those tunes as the basis of the airs in the 'Beggars Opera.'

The appearance of such a MS., carrying our Scotch airs, in an authentic written form, nearly a century further back than any other printed collection had yet done, afforded a natural opportunity for a general enquiry into the history and character of

Scotch music, of which Mr Dauneŷ has availed himself in the present volume; and while he has accumulated, with great research, almost every thing, even down to slight incidental notices, which are to be found in former writers on the subject of Scotch music, he has brought forward many ingenious and original views and conjectures as to the influences by which Scotch music may have been modified, its analogies with the *canto fermo* of the Catholic Church, and the nature of the scale on which the Scotch airs are supposed to have been composed. These views, however, he urges, whether combating the opinions of others, or advocating his own, with no ordinary degree of modesty, and a perfect absence of that truculent spirit of criticism in which theologians, antiquarians, grammarians, and musicians, are supposed peculiarly to indulge. Nor are his views and conjectures founded on the present collection alone, for besides the MS. which gave rise to the publication, he states that he has examined several other MS., one belonging to Sir W. Muir of Rowallan, of nearly the same date with the Skene MS.; another dated about 1670; a third about 1692, belonging to Mr Blaikie, engraver, with several others of somewhat later date. And, while the work was going through the press, he appears to have obtained access to another MS. of great interest and value—originally noted by Sir Robert Gordon of Straloch, and bearing the date of 1627,\* subsequently presented to Dr Burney by Dr Skene, Professor of Humanity in King's College Aberdeen, into whose possession it had come. From these various sources, much additional information, and many corrections on the information which had previously been in circulation on the subject of the antiquities of Scotch music, has been derived.

Mr Dauneŷ's Preliminary Dissertation is divided into three parts: the first and shortest is devoted to ancient Scotch lyrical poetry; the second to ancient Scotch musical instruments; the third, and by far the most interesting, to ancient manuscripts of Scotch music, with an enquiry into its antiquity, and the formation of its peculiar genius and character.

The portion which relates to ancient Scotch lyrical poetry, though evincing careful research, only tends to prove how few

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\* The title of this MS. is, 'Ane Playing Booke for the Lute, where-  
 in are contained many currents and other musical things. *Musica mentis*  
*'medicina mæstæ.* At Aberdeen, noted and collected by Robert Gordon,  
 in the year of our Lord 1627, in February.'

fragments of the kind exist prior to the time of Douglas and Dunbar. *Etiam periere ruinae* would be its appropriate motto. Only two compositions which are *altogether new* are adverted to, bearing the dates of 1503 and 1507, and these are remarkable, certainly not so from their merits, for they have none whatever, but from the strange situation in which they were found. They are two songs or fragments of song, entitled, 'Adowe deer hart of Aberdene,' and, 'Quhy so strat strang go we by youe.' Found—(where would our readers imagine?)—duly recorded in the Register of Burgh Sasines for the city of Aberdeen! How they came there is a question on which the editor does not presume to offer an opinion, and which, as Sir Thomas Browne remarks of the song sung by the syrens, admits of a 'wide solution.' Our own conjecture is, that some clerk in that office, of a poetical turn of mind, and addicted to 'pen a stanza when he should 'engross,' had, in the fine frenzy of composition, or, perhaps, with an eye to what he considered to be a species of limited and provincial immortality, recorded in the Register his own verses, instead of the infestment he was set to copy, utterly regardless of the effects of this sally upon what lawyers would call the future state of the titles. If so, we cannot help figuring to ourselves the consternation of the proprietor of this burgh tenement, when upon demanding 'an extract' of his sasine, in some disputed question of succession, he was presented with a faithful transcript of the faithless record of the poetical clerk 'of Aberdene.'

This, by the bye, is not the only instance which this dissertation notices of the whimsical and unexpected situations in which antiquarian enquirers stumble upon out-of-the-way discoveries. Indeed, the fortunate escapes of some of the 'Reliquiæ' of literature is a subject which would deserve a separate chapter from some future D'Israeli. One elderly gentleman, for instance, detects a palimpsest of an unknown treatise of Cicero on the parchment of some 'doubling drum' which his son and heir is beating 'with furious heat;' another walks into a snuff shop, and discovers, like Sterne, in the analogous case of the MS. which covered his pound of butter, that his Lundyfoot is enveloped in a papyrus of inestimable value; a third is respectfully informed by his grocer, that, among the waste paper which he has purchased in the course of trade, he has stumbled upon the missing history, by Sir George Mackenzie, of the affairs of Scotland from the Restoration to 1691, which accordingly turns out to be the case. And so in regard to Scotch airs; besides the two recorded by the enthusi-

astic or dreamy clerk in the Aberdeen Register, we find that nearly fifty of the popular melodies of Scotland, noted in the same tablature as those of the Skene Manuscript, were discovered 'in the midst of a little volume of very closely written notes of sermons, preached by the well-known James Guthrie, the covenanted minister, who was executed in 1661, for declining the jurisdiction of the king and council.' Considering the miscellaneous, and indeed rather equivocal titles of some of the airs in this collection, it is difficult to account for their juxtaposition with the religious discourses in connexion with which they were found. In fact, we cannot help thinking that the pious collector, endeavouring to reconcile his private musical tastes with the strictness of his public profession, had, like Lydia Languish in 'The Rivals,' been taken 'in the manner' by the intrusion of unexpected visitors; and, in the hurry of the moment, had placed in close approximation these very discordant and uncongenial compositions. 'Fling "Peregrine Pickle,"' says the lady, 'under the toilet, throw "Roderick Random" into the closet, put the "Innocent Adultery" into the "Whole Duty of Man," cram "Ovid" behind the bolster, put the "Man of Feeling" into your pocket, lay "Mrs Chapone" in sight, and leave—"For—"dyce's Sermons" on the table.'

The second division of Mr Daune's dissertation is devoted to an examination of Scottish musical instruments; and contains a great deal of matter highly interesting to musical readers. We cannot, however, enter upon the history of mandours, hurdie-gurdies, monochords, which (like *lucus a non lucendo*), seems to mean many chords;—of flutes, cornets, harps, shawms, or even of the 'brisk awakening viol,' and the 'twa fithelaires' (*Anglice*, two fiddlers) who performed thereon the ancient romance of Gray-Steil before James IV. But, on the subject of the bagpipe, which Mr Daune discusses at considerable length, he propounds some opinions, which though, as we believe, perfectly well founded, will probably appear highly heterodox to those who always connect the idea of the bagpipe with the national music of Scotland, and seem to look upon it as pre-eminently the national instrument. Strip a Highlander, according to the common notion, of his bagpipe and kilt, and what do you leave him? 'A naked Pict,' 'meagre and pale, the ghost of what he was.' Accordingly, the contest as to the antiquity of the one, and the merits of the other, has always been viewed as one *pro aris et focis*; and we ourselves have felt, as to the bagpipe, that it was one of those musical instruments with regard to which it was prudent to confine our opinions to our own breast. It is matter

of surprise to us, therefore, that Mr Dauneſy has ſo far ſcrewed his courage to the ſticking place, as to publiſh, in Scotland, opinions highly unfavourable to the bagpipe, either muſically or nationally conſidered. Under the ſhelter of his authority we may as well confeſs, that we are by no means ſorry to ſee the bagpipe degraded from its conventional ſupremacy as the national muſical inſtrument of Scotland; eſpecially as the tendency of his remarks is to ſet up the claims of the harp in its ſtead. We can eaſily conceive, that, with its ‘windy ſuſpiration of forced breath,’ it may have a kind of factitious charm for thoſe who aſſociate it with Highland genealogies, and think of it as played by the deſcendants of time-honoured miniſtrels, ſtriding before the caſtles of the chief, or pacing the floor of the hall with the dignity of an Oſſian. But really to ourſelves, it is matter of ſlender regret to learn, that it was only within the laſt two or three centuries that it was introduced into the Highlands, and became the martial inſtrument of a few Highland regiments. We ſee from Boccaccio, that while the inſtrument was well known in Italy, during the fourteenth century, it was not held in the beſt repute; for, while the high-born gentlemen and ladies who form the ſtory-telling group in the Decameron accompany their Canzoni and Ballate with the lute and the viol,\* the taſk of performing on the bagpipe is committed to Tyndarus, a ſervant. Chaucer, in like manner, puts it into the hand of his ‘*Drunken Miller*,’ and the terms in which Shakspeare ſpeaks of the ‘drone of a Lincolnſhire bagpipe,’ ſhow that he entertained no great admiration for the inſtrument.

‘The bagpipe,’ ſays Mr Dauneſy, ‘has never been a very popular inſtrument in Scotland, except in the Highland diſtricts; and we may ſtate this with ſome confidence, as to one part of the country, — a royal burgh, which we have already had occaſion to name, and where the magiſtrates actually prohibited the common piper from going his rounds, in terms by no means complimentary of the inſtrument. Our readers will be the leſs ſurpriſed at the ſuperior refinement here exhibited, when they are informed that theſe were the ‘muſical magiſtrates’ of the city of Aberdeen, whoſe praiſes have been ſo loudly trumpeted by Forbes, the publiſher of the ‘*Cantus*,’ in his dedication of that work. ‘26th May, 1630.—The Magiſtrates diſcharge the common piper of all going through the town at night, or in the morning, in tyme coming, with his pype,—it being an uncivill forme to be uſit within ſic a famous burgh,’

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\* Dioneo preſo un Liuto e la Fiammetta una viuola, cominciarono ſcavamente una danza a ſuonare.—*Introduzione.*

*and being often fund fault with, als weill be sundrie neighbouris of the towne as be strangeris.*

Our author advocates with much zeal the cause of the harp, an instrument fit, according to the description of the French poet Machau, 'to be used by knights, esquires, clerkes, per-sons of rank, and ladies with plump and beautiful hands, and whose courteous and gentle sounds should be heard only by the elegant and the good.' There is something extremely interesting in the history of this instrument; not only diffusing its charms at the courts of princes, and in the houses of nobles, but constituting a source of delightful and innocent recreation to all classes of people in the tranquillity of domestic life. We fear the merit of the original introduction of the instrument into this country must be ascribed to Ireland; but it seems very early to have become a favourite instrument, and one on which the Highland harpers appear to have attained a proficiency little if at all inferior to that of the Irish and the Welsh. During the fifteenth century, it appears to have been extremely fashionable, James I. having touched it, as Fordun says, like another Orphæus: it figures among the musical instruments mentioned in Douglas's 'Palace of Honour' (about the commencement of the sixteenth century), and again among those with which Queen Anne was greeted, on her public entry into Edinburgh, in 1590.

It was in the Highland districts of Scotland, however, that the instrument appears to have been most successfully cultivated, and to have longest maintained its ground;—the performers generally uniting, like the more ancient minstrels, the character of harper and poet. The last of this race, representing the more respectable class of harpers, is said to have been Roderick, or as he is generally called Rory Dall (Blind Rory), a Highland Demodocus, who, if tradition is to be trusted, was born a gentleman, and lived on that footing at Dunvegan Castle, in Skye, in the family of the laird of Macleod. His name will be familiar to most of our readers, as the supposed instructor of Flora M'Ivor.

The proficiency of the Highlanders in harp music is sufficiently proved by the 'ports' as they are called, or airs composed for the harp, of which the Skene MS. contains only one; viz. 'Port Ballangoune,' which turns out to be the same with one entitled 'Rory Dall's Port' in the Straloch MS. (probably a predecessor of the Rory Dall above alluded to), but greatly inferior to the Straloch version in musical merit. Besides Rory Dall's, the Straloch MS. contains four other ports, which have been translated by

Mr Graham, all of them interesting and remarkable from their elevated character ;—the wild romantic style of their modulation often reminding us of the wilder and more gloomy conceptions of Beethoven's Adagios ; and that tone of melancholy which pervades them, so much in harmony with the character of the Celtic muse. We hope our readers will not be startled if we so far break the usual symmetry of our pages, by a musical quotation, as to insert one of these old airs from the Gordon MS., entitled 'Port Jean Lindsay,' which, though not so 'rich and 'strange' as some of the others, is beautiful and characteristic, and would do honour to any composer, ancient or modern :



It serves not a little to pique our curiosity with respect to these relics of the old Highland bards, that the melody should possess a peculiar national character, to all appearance essentially dissimilar from the Welsh ; and even distinct from the Irish harp music, to which, however, it is more nearly allied.

But it is to be regretted that, owing to the harp having been

so long disused in this country, we can scarcely expect to make many additions to our stock. MSS. such as this of Sir Robert Gordon are so rare, that it may be doubted whether another is extant; and what reliance can be placed on such harp airs as have been noted in the course of the last century,—altered as they must have been, from their having passed through the medium of other instruments? Even the ‘ports’ to which we have alluded are objectionable, from their not having been noted for the harp; and any old specimens of this music written down as expressly composed for that instrument, might be different from those here given, though to a much slighter extent than if they had been adapted either to a bowed or wind instrument—the lute, as well as the harp, being what the French call an *instrument à pincer*.

Having thus given a hasty sketch of the contents of Mr Daune’s Dissertation, let us indulge our feelings by saying something generally of that body of national music which gives interest and importance to any publication of this nature.

In estimating the merit of Scottish melody, it is not easy for us who are natives, ‘and to the manner born,’ to put off those prejudices which tend to bias the judgment; so as to enable us precisely to determine how much was to be ascribed to the effect of local or accidental suggestions, and what to the genuine and intrinsic excellence of the music itself. Scotchmen have been often taunted for allowing the love of Scotland to warp their perception of truth; and it is not to be wondered at if it should have still more influence on their perception of beauty. We should scarcely think the better of our countryman who could scan the beauties of a long-remembered air as a pure abstraction, without reference to its name or object,—who could dissect the structure of the ‘Flowers of the Forest,’ as if he had no share or sympathy in the living recollections which it represents. Such a one, thus fit ‘to peep and botanize upon his mother’s grave,’ must be in a great measure destitute of those general feelings on which a more large and liberal criticism depends. The sensibilities of local and personal preference cannot be wholly eradicated from our frame, without also plucking up the fine fibres by which the sense of beauty in the abstract is best appreciated. All that we can do, is to watch and make allowance for the operation of our own partialities, and, if not wholly to correct the error, at least to approximate to the truth.

But the tendency we now refer to, is often corrected or compensated by one of an opposite kind, almost equally natural, and now more common. Nationality, in the present day, though



we are far from thinking it extinguished, is, at least among many classes of society, much less prominent and prevailing. If we are not yet ashamed of our country, many of us are at least willing to keep its peculiarities in the back-ground, except when we find them the theme of praise among strangers. The simple and unsophisticated among us, may be as Scotch as ever. To such, Scottish music and Scottish mountains, Scottish dancing and Scottish dishes, the language, and the laws of Scotland, are all the best of their kind in the world. But those who have lost the honesty of ignorance without reaching the vantage-ground of instruction—those who occupy the debatable land between vulgarity and fashion—think it a duty to suppress or conceal their national predilections, and to depreciate or despise what is Scottish, unless when they find themselves not in safety to do so. To these persons, and to many who think themselves free from the fault, Scottish melody brings with it not only no prejudices from early association, but is even on that ground suspected of being too vulgar and vernacular to be acknowledged; and many a would-be fine lady, who makes a fool of herself in ‘*Di tanti palpiti*,’ or ‘*Una voce poco fa*,’ thinks it an insult when we ask her if she can sing ‘*Low down in the Broom*,’ or ‘*Logie o’ Buchan*.’

Believing that the latter is the more grievous mistake of the two, we shall now venture to express, in a few sentences, the admiration which we feel for Scottish music; and do our best to replace it in its merited position in public favour. It may partly promote this object to impress on our readers, what seems daily more certain in the progress of such enquiries, that the peculiarities of our Scottish airs must not be considered as the results of rudeness or ignorance; but are conformable to the approved, and, indeed, the only principles of composition prevailing in the remoter periods which produced them. The flat seventh in the ascending minor key, which is a remarkable feature in Scottish music, was the regular form of intonation in all our music until a comparatively recent period. The modulation, which we consider so characteristic of nationality, from the minor chord (popularly speaking) of the tonic to the major chord of the tone below—as from D F A to C E G—is still to be traced in the works of the highest masters. Indeed, the greatest composers of modern times—and Beethoven in particular—are in the practice of resorting to these simple and old-fashioned forms of tonality, from a sense of their superiority in expressing certain emotions; and as a contrast and corrective to the too chromatic and luscious sweetness of modern intervals. If we are to despise Scotch music,

therefore, let us not do it as being rude and irregular. It belongs to an old school, less refined, less flexible, and less voluptuous than the one now prevailing; but yet founded in principles of science, and, if we mistake not, or if the experience of many revolving years may be believed, founded also in the principles of the human heart. But it is not necessary to set the two styles of composition in conflict with each other. We are not declaring war against modern music; we are seeking merely to restore the old to its due honour. We may admire both, if we can admire either; and, indeed, we somewhat doubt whether any person can truly admire the one without also admiring the other.

The ancient melody of Scotland is distinguished from modern music by those tonal peculiarities which characterise all music of an earlier date. The individual character of Scotch music, as a class, depends upon the manner in which those peculiar tonalities have been made use of;—as demonstrative either of melodic skill, or expressive of mental emotion. In both of these respects, the Scotch melodies undoubtedly possess great excellence. The range of their modulations is limited, probably both by the scale which their composers employed, and by the rules of that simplicity which ballad music, if we may so call it, ought always to preserve. But those modulations are conducted often with great art and ingenuity, in a musical point of view; while they are made eminently subservient to purposes of expression. The modulations chiefly used, are from the major to the relative minor, and *vice versa*; from the minor chord of the tonic to the major chord of the tone below,—a peculiarity which we already noticed; and from the tonic to the dominant, particularly in minor keys. A beautiful example of the management of these two last-mentioned modulations is to be found in the air of ‘Bonny Dundee,’ or as we prefer to call it, after the Skene MS., ‘Adeu Dundee.’

Authentic Scotch airs in a purely major key, are certainly not wanting; and many of them are graceful and pleasing; but they do not, we think, so well exhibit either the musical character or the expressive power of our native melodies. The most beautiful and affecting airs are those in which major and minor modulations are interwoven together like the shower and the sunbeam of an April day,—when the feelings or recollections of grief and gladness, pity and love, fear and confidence, are struggling for the ascendancy, and each alternately gives law to the strain. Any one who carefully analyses our music, will be much struck with the variety and effect of these changes, which

have not always been fully attended to; either by those who have arranged harmonies, or those who have written verses to accompany the airs. A good deal, we think, has yet to be done in these departments, as well as in pointing out the peculiar phrases which prevail in Scotch melody, and the manner and character of their successive transitions. ●

Among the later compositions of Scotland, are to be found several examples of beautiful melodies constructed on the modern minor key with the sharp seventh. A favourable specimen of this class may be found in the air, 'She rose and loot me in;' which is as perfectly chromatic within the minor key as the most scientific composition. This air, we believe, may be traced back to the end of the 17th century; but it differs wholly in character and structure from our older melodies; and, in particular, from those which are found in the Skene MS., which contains no instance of a sharp seventh in the minor key. This circumstance may be taken as an additional proof of its antiquity.

The edition which the Skene MS. exhibits of some of our popular melodies, will probably give rise to a difference of opinion as to their relative merits, when compared with our modern forms of the same airs. This dispute resolves into a question that has long divided the world, and will long continue to do so; namely, whether simplicity or embellishment be the greater source of delight in the refined arts. For our part, we cast in our lot with Mr Daune and the poet, and greatly prefer the simple sets of some of our melodies which this publication affords us, to the tawdry and tinselly transmutations into which the florid school of singing has, in the course of time, converted them. It is well known that, some years ago, a style of trilling and trembling was as much in request among our native singers, as it ever was at Vauxhall itself. This vicious system arises, in most cases, from the same causes; first, that it *seems* much more difficult, and, secondly, that it *is* in fact much more easy to sing a number of demi-semiquavers, than to give beauty and expression to plain and prolonged notes. Just as a drunken man can run when he can no longer stand, an unsteady voice or ear is constantly longing to get away from any continuous sound, and to flutter and flourish up and down among ornaments and variations that may blind the audience to its defects. Under the management, however, of a truly good or a truly correct singer, there is infinitely more room for taste, and for expression, in a sober and sustained melody, than in all the runs and roulades that Mrs Billington ever executed or imagined. Let ornaments and cadences be left to flutes and fiddles; but let the human

voice not throw away its own peculiar power of articulation and passion, by frittering to nothing those melodies which might be made to swell and die upon the ear with such expressive simplicity. We consider it as one of the best tendencies of Mr Daune's publication, to stem the torrent of innovation in this respect, and to turn the stream into a more natural and more delightful channel.

We trust that the publication we are now noticing, will have some effect, not merely in stimulating enquiry into the melodies of Scotland, but also in awakening and extending a similar spirit in other countries. A copious collection of native European melodies, simply and faithfully recorded, would present a most interesting and useful body of musical studies and suggestions. The pleasure received from the early poetry of other nations, must always be greatly limited by the difficulty of understanding the language in which it is wrapped up. But music is a universal language, exempted from the curse of the confusion of tongues, and in which tribes of remote position or origin may yet converse with each other as intelligibly as if the building of Babel had never been attempted. It would be interesting, anthropologically speaking, to enquire whether there are any diversities of musical style characteristic of the leading divisions or subdivisions into which our species has been classed;—whether, for instance, the Caucasian or the Teutonic race exhibit in this respect any thing of that similarity which so widely pervades their features and their dialects. It would be interesting to search our own dominions in the East, in the same spirit and with the same accuracy which has been employed at home; and to ascertain whether, in music, we can discover any further trace of that wonderful affinity which so singularly links together the most learned language of ancient India and the humblest form of speech that is spoken at our own door. At all events, and to whatever results it may lead, it must always be a fitting subject of enquiry for an enquiring age, and where the knowledge is attainable on reasonable terms, to know more of our common nature in every quarter of the world; and to ascertain in what varieties of accent and utterance our fellow-creatures, wherever placed, have been expressing their human feelings, whether of joy or sorrow, and gratifying those longings after beauty and grace, which, next to the moral sense and the intellectual faculties, distinguish us from the brutes that perish, and which prove so pleasingly, that we are the creatures of a benevolent Maker, who willed that we should live on earth not for purposes of labour or usefulness alone, but for enjoyment and happiness.

It would be unjust if we were to conclude without mentioning, that Mr Dauneys book contains a very masterly analysis of Scotch melody, by Mr Dun of Edinburgh, and an able attempt to refer its peculiarities to the rules of the ecclesiastical canto-fermo. We shall offer no opinion on this theory, but shall merely say, that in any future discussion among musical antiquarians on the subject, Mr Dun's views must be entitled to a very respectful consideration.

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ART. IX.—*Remarks on the Character and Writings of John Milton.* By WILLIAM ELLERY CHANNING, LL.D. Third Edition, 12mo. London: 1838.

As the name of Dr Channing stands high in American literature for several works which have shown much vigour of thinking, some talent for declamation, and generally considerable success in composition, we are bound to observe that, had nothing from his pen ever reached us but the tract now before us, we should have been at a loss to comprehend the grounds of the reputation which he enjoys to a certain degree on either side of the Atlantic. The taste which it displays is far from being correct; his diction is exceedingly affected; and the affectation is that of extreme vigour and refinement of thought, often when he is only unmeaning, contradictory, or obscure. His opinions on critical matters likewise indicate a very defective taste, and show that, in his own practice of writing, he goes wrong on a false theory; and in pursuit of the 'striking'—the 'grand'—the 'uncommon.' That his style should be perspicuous can, indeed, hardly be expected, when he avows the incredible opinion, that a composition may be too easily understood, and complains of the recent efforts to make science intelligible to the bulk of mankind, that their tendency is to degrade philosophy under the show of seeking after usefulness. The tract before us is, indeed, less obscurely written than the ventilation of this absurd notion by its author might have led us to expect; but, if not so unintelligible, it is fully as shallow in most of its remarks as could well have been imagined of any writing that proceeded from a very respectable quarter.

It seems to be the especial office of sound periodical criticism to watch over the purity of the public taste, and, above all, to prevent it from being tainted, by timely warning against the influence of theoretical errors committed by eminent authors, or

the contagion of their evil-example in practice. Men of some note, and whose names have risen into a fame beyond their real merits, may contaminate the taste of their age, both by laying down false rules of criticism which the weight of their authority has a tendency to enforce, and by themselves forming their own writings on a false model of excellence. It appears to us quite undeniable that Dr Channing has succeeded in both these ways on the present occasion.

We had hardly opened the tract, and not proceeded through the second page, when we found such writing as the following; a grievous sample of the havoc made in the works of able and eloquent writers by the determination to say what looks striking rather than what is just, and to strain after effect rather than truth. Not content with describing Milton as ‘a profound scholar and a man of vast compass of thought, and imbued thoroughly with all ‘ancient and modern learning’—(which is an exaggeration of the truth, for Milton had little or no scientific knowledge; but still it is like the truth which it exaggerates, and at all events it is quite intelligible)—Dr Channing must add for effect, and in order to say something out of the ordinary way, that he was ‘able to master, to mould, to impregnate with his own intellectual power his great and varied acquisitions.’ Now, this is saying not only something quite out of the ordinary way, but something beyond ordinary comprehension. A man may master, and he may mould by his intellectual power;—but what is he to master? Dr Channing says ‘his own acquisitions’—as if he had said, ‘this man is so wealthy that he is about to buy his own estate.’ Nor is this the worst by a good deal. What meaning does the eloquent Doctor attach to the act of ‘impregnating his acquisitions with his powers?’ These are words—absolutely words only, and devoid of all, even the least meaning;—yet will we hold any one a wagger that the author deems them a piece of fine writing; forgetting the sound old definition of ‘that which is natural without being obvious,’ and falling into the too common error of fancying that every thing not obvious is worth saying, however little natural or even intelligible. Next comes a contemptuous dismissal of the commonly received opinion, which he calls ‘the superficial doctrine of the day,’ that poetry flourishes most in an uncultivated soil—a position somewhat less conclusively put down by Dr Channing’s bare dictum, than supported by the admitted fact, that the poem of an age so rude as to be now unknown even in point of date, stands at the head of all poetry. We next have some writing which, though its meaning may be traced through the words, yet is neither natural, nor graceful, nor at all distinct, even when comprehended; but then it looks showy,

and is, as it were, covered with finery, until we examine it closely. ‘Milton was conscious of that within him which could quicken all knowledge, and mould it with ease and might; give freshness to old truths, and harmony to discordant thoughts; bind together by binding ties and mysterious affinities the most remote discoveries, and rear fabrics of glory and beauty from the rude materials which other minds had collected.’ Though we have admitted the meaning here to be discernible, we believe we have admitted too much; for were the author asked to specify what he really intended to convey by the member of this sentence here printed in Italics, we are quite certain that he would be completely puzzled. He afterwards tells us that ‘mind is in its own nature diffusive,’ and that ‘it will see more and more common bearings, and hidden and beautiful analogies in all the objects of knowledge.’ In any writer who deemed the purposes of language to be the conveyance of distinct ideas, and making the reader know the author’s meaning, we should not hesitate to set down ‘*hidden*’ here as an error of the press; but we cannot profess to be sure of this at all in the present instance; nor, indeed, to have any thing like a distinct conception of what the writer would be at.

Nor is it by any unaided efforts of our own that we have been enabled to infer from Dr Channing’s practice, the account of his theory or principle of composition, to which we have just adverted. He has himself betrayed his own secret. The following passage, we verily do believe, stands unequalled among all the follies or affectations (for we can hardly conceive it to be seriously delivered) of all critics:—

‘We know that simplicity and perspicuity are important qualities of style; but there are vastly nobler and more important ones;—such as energy and richness,—and in these Milton was not surpassed. The best style is not that which puts the reader most easily and in the shortest time in possession of a writer’s naked thoughts; but that which is the truest image of a great intellect, which conveys fully and carries furthest into other souls the conceptions and feelings of a profound and lofty spirit. To be universally intelligible is not the highest merit. A great mind cannot, without injurious constraint, shrink itself to the grasp of common passive readers. Its natural movement is free, bold, and majestic, and it ought not to be required to part with these attributes that the multitude may keep pace with it. A full mind will naturally overflow in long sentences; and in the moment of inspiration, when thick-coming thoughts and images crowd upon it, will often pour them forth in a splendid confusion, dazzling to common readers, but kindling to congenial spirits. There are writings which are clear through their shallowness. We must not expect in the ocean the transparency of the calm inland stream. For ourselves, we love what is called easy reading perhaps too well, especially in our hours of relaxation; but we love too to have our faculties

tasked by master spirits. We delight in long sentences, in which a great truth, instead of being broken up into numerous periods, is spread out in its full proportions, is radiated with variety of illustration and imagery, is set forth in a splendid affluence of language, and flows like a full stream, with a majestic harmony which fills at once the ear and the soul. Such sentences are worthy and noble manifestations of a great and far-looking mind, which grasps at once vast fields of thought,—just as the natural eye takes in at a moment wide prospects of grandeur and beauty. We would not indeed have all compositions of this character. Let abundant provision be made for the common intellect. Let such writers as Addison (an honoured name) “bring down philosophy from heaven to earth.” But let inspired genius fulfil its higher function of lifting the prepared mind from earth to heaven. Impose upon it no strict laws, for it is its own best law. Let it speak in its own language, in tones which suit its own ear. Let it not lay aside its natural port, or dwarf itself that it may be comprehended by the surrounding multitude. If not understood and relished now, let it place a generous confidence in other ages, and utter oracles, which futurity will expound. We are led to these remarks not merely for Milton’s justification, but because our times seem to demand them. Literature, we fear, is becoming too popular. The whole community is now turned into readers, and in this we heartily rejoice; and we rejoice too that so much talent is employed in making knowledge accessible to all. We hail the general diffusion of intelligence as the brightest feature of the present age. But good and evil are never disjoined; and one bad consequence of the multitude of readers is, that men of genius are too anxious to please the multitude, and prefer a present shout of popularity to that less tumultuous, but deeper, more thrilling note of the trump of fame, which resounds and grows clearer and louder through all future ages.’

First of all, though we can with difficulty suppose all this nonsense serious, and more than half imagine it is given as the means of showing what the author thinks his power of fine writing, yet, as he certainly acts upon the principles it contains, we are led to enter our early and decided protest against all and every portion of it. Any thing more pernicious, more hurtful to all good writing, and indeed more prejudicial to accurate thinking, cannot be imagined, than the propagation of such wild absurdities, under the authority of considerable names. For, absurd as such a theory is, it falls very easily in with the careless and loose habits in which shallow thinkers and loose reasoners are prone to indulge. Once persuade them that clearness and distinctness is not an essential requisite of diction, and there is no end to the propagation of flimsy trash, under the cover of sounding phrases; nor any limit to the prolixity of the ready and wearisome pen. All men beside Dr Channing have held that perspicuity is the first quality of style; that whatever of ornament it may have besides, shall only be taken cumulatively, and not substitutionally (to adopt in courts critical the language of the courts of law)—as



an addition, not a substitute; and whoever would give us fine words for clear ones, the life and soul of composition, does a thing quite as fatal to good writing as the act of depriving a man of air (while you give him fine clothes and rich food), would be fatal to his natural life. All other critics, in all ages, have deemed the sense the principal object, and the language only accessory, or rather subsidiary and ancillary to the meaning it is intended to convey. Accordingly, a great writer or a great orator will not suffer us to think of the words he uses, and by which he effects his purpose. 'No,' says the Quintillian of Boston, 'the language is every thing, the sense nothing; and instead of not detaining us from the ideas, it should always be obscure enough to prevent us from too easily and too quickly getting at them.' All other men had thought that the object of a journey was to reach the end of it:—'No,' says our new guide; 'your true travelling is that which stops you every half mile with the mire or an accident, to make you examine the construction of your carriage or your road.' All other men had supposed that words were used for the purpose of telling one person what another meant—all but Dr Channing—who conceives that the great object of authors is the same with that of riddle-makers,—to display their own skill in hiding their meaning, and exercise the ingenuity of others in finding it out. His favourite is the enigmatic style, not the lucid, not the perspicuous: his cry is 'riddle my riddle;' he stops you after a period with 'Ha! do you follow me? I'll warrant you can't tell what *that* means?' And certainly, in one particular, he differs from the old-fashioned riddle-monger, who always had a meaning, and only puzzled you to get at it; while the Doctor sometimes puzzles you when he has not much more meaning than the celebrated person of quality had in writing the well-known song recorded by Dean Swift.

As to the senseless, despicable trash about 'literature becoming too popular,' and writers now being in danger of sacrificing solid fame (what he is pleased to call very affectingly the 'deep, thrilling note of the trump of fame') to gratify the multitude and 'catch the present shout of popularity,' there never was any delirium more complete. Why, it is all the other way! Dr Channing is the person who is running after empty shouts and heedless multitudes; for he wraps up his meaning, which is often so successfully concealed that its existence is very questionable; he is trying to pass off tinsel for sterling metal—fine sounding phrases for distinct and valuable ideas—flimsy, vague, shadowy, half-formed, half-pursued ideas, for deep thoughts;—as if every thing that looks magnified in the mist he raises round it by his volume of long words were therefore larger than what we see

clearly in broad daylight;—and, having thus done, he gravely tells us that it is the attribute of a great genius to be above ordinary comprehensions, and conceal its meaning under such language, until, like the prophetic enigmas of the oracle, their meaning is discovered in some future age of the world.

When we find authors professing, and indeed laying down such absurd and at the same time dangerous principles of taste, we cannot wonder at their practice betraying the corruption of their doctrine. It is as little to be expected that their writings should be of the purity required by a just standard, as that men who hold and proclaim a profligate code of morality should lead virtuous lives. The natural temptations of passion are not more powerful allies of such a vicious system of ethics in seducing men to transgressions, than the natural indolence and carelessness which render labour irksome, and the natural self-complacency which makes severe revision and the ‘*sæpe stylum veritas*’ distasteful; or the natural impatience to appear before the world which shuts the ear to all advice about a ‘nine years’ suppression,’ are incentives to sin against the rules of good taste, and fall into that rapid and slovenly style which proverbially makes easy writing hard reading.

To this rule of conduct we have already seen that Dr Channing’s style affords no exception. In every page we trace its evil influence in most careless thinking and most faulty diction—a constant mistaking of strange things for strong ones—a perpetual striving after some half brought out notion, of which the mind had never formed to itself any distinct picture—a substitution of the glare of words for harmonious ideas; and, we are sorry to add, not rarely that worst vice of bad writers, the assuming to use words and phrases in a sense peculiar to themselves, partly in order to strike by novelty, partly in order to save the pains of more legitimate and more correct composition. We have passed without comment such phrases as ‘giving freshness to old thoughts’—but how can we allow any one to speak of Milton’s poetry ‘as always healthful?’ unless, indeed, a style so affected as this may be termed morbid, and therefore Milton’s be considered as the opposite? Can any thing be more useless, and less precise, or even comprehensible, than ambitious writing like the following description of Milton’s power over language? ‘It belongs not to the musical ear, but to the soul! It is a gift or exercise of genius’ (as if a man should say ‘that pound you gave me, or spent for me, which is quite the same thing’) which ‘has power to impress itself on whatever it touches’ (so that genius has been turned from a giver and an exerciser, into a die or mould), ‘and finds, in fancies, in sounds, motions, and material forms,

‘correspondences and harmonies with its own fervid thoughts and feelings.’ No one can tell what it has *now* become. Sometimes the meaning is plain enough, but quite absurd; as where he expounds the object which he has had in view in making these remarks on Milton. It seems, he had ‘a higher aim than to assert the dignity of Milton as a poet; that was to endear and recommend his divine art to all who would cultivate and refine their nature.’ Had it stood thus, we could have complained but, little. This, however, though not a very common-place phrase, is far too much so for Dr Channing, who must needs sublimite it by saying ‘all who *reverence* and would cultivate and refine their nature.’ What nonsense it is to speak of reverencing our own natures as a duty, or a merit of any kind!

If Dr Channing were the only transgressor of sound critical rules—if he did not belong to a School which has of late years threatened the corruption of all correct taste, and even the subversion of our old and pure English language—we should hardly have dwelt at such length as we have done on his style; and should not have extended our reflections further than a protest against his respectable authority being used to propagate his vicious taste. But, though he is among the most distinguished, he is yet but one of a pretty large class of writers, who, chiefly in affectedly written works of exaggerated sentiment, dictated by a Narcissus-like love of their own fancied charms—in many departments of the periodical press, and still more recently in the *Annals* written by ladies and gentlemen amateurs, are filling the republic of letters with productions all the more hurtful to the public taste, that these great faults of one class cannot be committed, any more than Dr Channing’s, without some talents, though of a showy and shining rather than a sterling kind; while the emptiness of the other is balanced and set off by the arts of the engraver. It is fair to add, that Dr Channing’s language is generally free, as far as the words go, from the barbarisms with which so many of these writers, and chiefly of the periodical caste, are deforming our mother tongue. ’Tis true, his diction has nothing racy or idiomatic to recommend it; it is heavy and pompous, and far enough from the pure Saxon phrase; but it is at least of the standard currency; whereas the others utter a base gibberish of their own coining, which bids fair to supplant all the good and lawful English of the realm. They ‘advocate,’ and ‘compete,’ and ‘carry out.’ They ‘call attention’ to things which ‘transpire’ (occur) in all the ‘grades’ of society. They consider on what a thing is ‘based.’ Their common friends have become ‘mutual.’ They ‘respond’ when required to answer. They see nothing afar off, but every thing ‘in the distance.’ Behaviour and demeanour they take no

mark of, but are mighty observers of men's 'bearing' and 'port.' They will not condescend to speak of any thing as gotten or obtained; be it ever so trifling, it must be 'achieved;' be it ever so little, it must not be granted but 'conceded;' and conceded, not in spite of opposition, but 'despite of' all 'resistance.' All such words as fine, or fair, or beautiful, or blue, or red, or black, are discarded: we have, in their stead, an endless succession of things, magnificent, splendid, stupendous, azure, crimson, sable — (as if any thing could be more blue than blue, or any thing more black than black). So that really, Swift or Addison, should they come alive, would run some chance of being driven back to their own periodical writings, in order to read something which, though containing little new, was yet in a language familiar to them without the help of a Dictionary. Some of the older writers, indeed, might find themselves more at home. Shakspeare, and even Milton, would be somewhat more surprised than pleased to find certain of their loftiest flights and most violent expressions used as common words, upon every most ordinary occasion, and as if there were no other phrases in the vocabulary to serve the purpose. Thus, none would they see described as changing their mind—but 'a change had come o'er the spirit of their dream;' none as dancing, but all 'tripping it on the light fantastic toe;' none mentioned as sad, but as 'most musical, most melancholy.' They would find, too, that men had wholly ceased to marry and be given in marriage, but that they 'lead one another 'to the hymeneal altar.' Music, like marriage, they would find to have ceased out of the land; but replaced by 'the concord 'of sweet sounds;' and as to finding any thing like a pastoral poet, or even a poet at all, it would seem impossible, though at every corner of a street would be found many 'warbling their 'wood-notes wild.' Nay, the Christian duty of comforting the afflicted would be supposed, by these '*revnenis*,' to have fallen into disuse among our community, though some unknown operation seemed in practice by the name of 'ministering to a mind dis-eased.' From these faults of language Dr Channing is almost entirely free; but the new, and Narcissus or self-amatory school of writing, has worse faults than these, in which he partakes considerably; and one of the very worst we have seen that he formally and upon a perverted principle vindicates.

How well does the admirable maxim of old Roger Ascham express the principle which we have been endeavouring to inculcate, and which the new school so habitually violates! 'We ought,' said he, 'to think like great minds, and speak like the 'common people.' The adepts of this new school cannot certainly be said to reverse while they break this rule; they speak

unlike either ordinary or extraordinary men; and it would be far better if their thoughts more nearly resembled those of every-day mortals, than the kind of things which proceed from them,—out of joint, discoloured in their hue, distorted in their proportions,—seemingly reconciled by no one thing but their being what never would have entered any mind in its ordinary and natural state.\* The perpetually hunting after effect is one vice, the making language an end, not an instrument, is another; nor is there any thing less sufferable in their whole follies than the self-admiration which marks them, and has made us call them the school of Narcissus. They are themselves the centre to which all things are referred—round which all their ideas revolve. In an extatic contemplation of their own perfections, their soul lies entranced. A ‘reverence of their own nature’ is nearly the only reverential feeling which they know; and this we have seen is in terms inculcated by Dr Channing. All the moods of their own mind become to them objects of contemplation. All that touches, themselves, however remotely, rises into enormous dimensions in their eyes; nor can they ever be brought to imagine that other eyes than their own convey ideas to their readers. Above every thing, all that proceeds from themselves is stamped with the mark that denotes not merely sterling currency, but incalculable value; so that they would not thank you for admitting the coinage of their mint to be genuine, but you must also take it at the denomination they choose to give it; and theirs is a mint which issues nothing under thousands. A really great poet in our own times helped to encourage this absurd fancy of self-contemplation. He seems hardly to have studied any other sample of human nature than himself; and he draws all his pictures after that model. But let not the prose members of the school rock themselves in the delusion that they may with impunity imitate the worst faults of him in whose genius they have no share; else they will surely find what was to be lamented in him, only laughed at in themselves.

The worst of all, however, is the determination that pervades these compositions of never saying any thing that is of every-day use; or, if any such thing escapes them, never saying it, though a plain and ordinary thing, in a plain and ordinary way. To strike and dazzle, at all hazards and costs—at all risks of failure, at all costs of natural beauty and simplicity—is the constant aim of their penmanship, to use Lord Kenyon’s happy phrase for designating one subdivision of this class of authors,—the Auctioneers. The reason, too, why all the rest of the class fall into the same error is, that, like the knights of the hammer, their reputation is from hand to mouth; and as, like comedians, they live to please, so

must they please to live. Hence the unavoidable temptation rather to seek after, to think on, and to do whatsoever things are striking or showy, rather than 'whatsoever things are just, and true.' Simplicity and nature in the ideas is sacrificed to far-fetched conceits; sobriety and chasteness in the colouring, to glitter and glaze; clearness and perspicuity in the language, to what are deemed picturesque expressions; but which, nine times in ten, are only forced and fantastical words, and as often words used in new, and therefore unexplained senses, as in their established meaning. Then, when a broken fragment of a figure is caught hold of, it is mistaken for the production of true genius, while it is most commonly nothing more than a clumsy and shapeless bit of mixed metaphor; or an approximation to some confused image, of which no precise idea had ever any where been formed. Yet surely it requires no argument to prove that the first of all virtues in language is precision and clearness,—precise adaptation to the ideas intended to be expressed, and a plain and certain expression of them. To be sure, this imposes the twofold necessity of having ideas to express; and of perceiving them clearly in the mind before clothing them in words; nor is it doubtful that much of the bad writing we complain of arises from the defect in both these essential particulars; and from a vain attempt to make a string of words supply the thing wanting. Nor is it more to be questioned that simple and just, and, above all, correct images, are infinitely preferable to those which are overstrained and far-fetched. See how the greater painters always did. Far from laying their imaginations under contribution, they always copied nature scrupulously. Appelles formed his Venus by surveying all the most famous beauties of the Greek islands, and selecting the actual features from the whole. Modern painters seek out in nature the very root, or branch, on rock, or rill, which they would paint; and are always manifestly uneasy and disturbed when they have to depart from their actually existing models. Sir Walter Scott, whose great art lay in exact descriptions of nature and of character, was continually in pursuit of some piece of natural scenery, or some existing character, or some real display of passion or feeling; and he would only draw on his own fancy for filling up the interstices, or supplying vacancies in the models which nature furnished. So, when the painter has covered his canvass, he spreads over it a clear, pellucid, almost colourless varnish, to soften and harmonize its tints, never to distort or obscure them. But our most clumsy and most inventive artists, despising nature and her works, will have square blue trees, amidst round green rocks, and scarlet lawns watered by yellow

streamlets, as far more striking and surprising; and, having so filled in their picture, they must cover it over with a varnish which, by way of giving it expression, is so troubled as to let but little of the outline be seen through it. And so they conceive that, as Dr Channing hath it, 'they are following the laws of immortal intellect;'—'blending into new forms, and accordin<sup>g</sup> to new affinities;'—'fulfilling their higher functions of lifting the prepared mind from earth to heaven;'—placing 'generous confidence in other ages—uttering oracles which futurity will expound.'

If any one thing can be more preposterous than another in all this, it is the notion taken up by Dr Channing that plainness and simplicity are inconsistent with force. He says in the passage—the incredible passage above cited—that though 'simplicity and perspicuity are important qualities of style, there are vastly nobler and more important ones,—such as energy and richness;' as if a man were to say, 'Air is good for health, but perfume is far better.' This is exactly the blunder our author has here fallen into. The perfume is useless to men who are stifled for want of air; and the access of the air, far from excluding the perfume, is required to waft it. Who ever heard before of clearness and simplicity being incompatible, of all things, with energy? Why, common parlance almost weds the two together. Thus, we say, 'simple energy'—'simple and energetic'—and did our critic ever hear of one Dante? or, peradventure, of one Homer? Who ever thought that he was solving a riddle, as far as the diction was concerned, when he read the energetic passages of those great masters of the sublime? Not only do the combinations of the words all present the correct solution of the meaning, but the plainest words are always employed in all the passages of greatest energy. To give instances would be endless. We are stating things of proverbial truth, and of every-day observation. A learned divine like Dr Channing must have often made the same remark on the more powerful passages of the Scriptures. The writings of the Greek orators and Greek tragedians, as well as the finest passages of both Herodotus, Thucydides, and Livy are full of similar instances.

\* Much of the evil taste of which we complain, no doubt arises from the prevalence of periodical writings, and the daily demand of the reading public for matter of amusement or excitement. The reader's appetite gets thus to be somewhat depraved, by being jaded; so that it requires incessant stimulants; and then the demand is to be supplied by those who, being allowed a very limited time in which to cater for the propensity they have helped to create, must be content to do the best they can; so they

drug the potion high which they have not the leisure to make delicate; and, above all, they take the materials nearest at hand, and which may be compounded with the least labour or skill. As ever happens in such cases, things act and re-act on one another; and while the constant and easy supply of highly, though coarsely seasoned matter, vitiates the appetite more and more, this degradation renders it necessary to make the stuff more coarse and more stinging to the palate.

The necessities of the Quarterly Purveyor are considerably less urgent and less hurtful in this respect; but we are very far indeed from standing aloof, taking ourselves out of the caste to which we belong, and, with folded arms and self-satisfied aspect, thanking God that we are not as other writers are. Nay, we know, we lament, and we complain, that we have often had the charge,—the awful charge—of dullness, or heaviness, brought against Numbers of this Journal, containing various papers of the utmost ability, the greatest originality, the purest composition, on subjects of the highest importance,—but,—not variegated or set off by what are called *brilliant* or *striking* articles. We hope that we have not often yielded to such clamours in the exercise of our functions; but we are conscious, upon the retrospect, of having been sometimes compelled to surrender our own better judgment to the prevailing taste; although, upon the graver charges which we have been discussing, our principle has uniformly been to abide by the standard, long established, of correct taste; to make head against all innovations in it; and to cry down all base coin by whomsoever uttered.

Yet, let us add, that as evil example is eminently contagious, the corruption of which we are complaining has extended to works, the composition of which offered no such excuse as the necessities of Periodical publication; and the subject of which rendered the offence far more inexplicable. The scientific writings of later years have been debased by the vitious taste, the foolish vanity of running after ornaments on matters that deny themselves to the ornamental; and *should be* content with the didactic. The yearly assemblages of scientific men—professedly to argue and confer, where investigation or even consultation is utterly impossible, really to display themselves before multitudes wholly incapable of appreciating any valuable matter uttered before them, and only likely to comprehend the trash unavoidably spoken upon such occasions—have greatly lowered the standard of taste among our men of science. There lies before us a book in which you can perpetually trace an unnatural twisting of the subject under consideration for a page or more, and cannot tell what it is the author is running after; till behold a long quotation in blank verse or rhyme makes its appearance, and shows



that all the effort was to introduce it. Another really writes on some of the stricter sciences in trope and metaphor; nor he among the least of our mathematicians. A third, and one the greatest of all, will have it that Laplace's great work is a 'kind of scientific poem.' Let us hope that the contagion will spread no further; or, if it does, that we shall no longer speak of French tinsel; for, assuredly, no name of any renown, amongst our neighbours, can be cited as giving the least countenance to aberrations like these. The offenders should learn to be content with their own domains, and bear in mind, that even if they possessed the arts, the inferior arts, of the orator and the poet, to use them on their own subjects or in any connexion with these, would be just as absurd as if Mr Wordsworth or Mr Campbell were to put Euclid into a ballad, or an orator at some public meeting were to declaim upon the principles of dynamics.

It remains that we say something respecting the substance of Dr Channing's tract; although we have already stated that it is the faulty style and the heterodox critical matter which induced us to undertake this discussion. Some, however, of the same errors also pervade the opinions which he delivers respecting Milton, although here we find far more that is valuable and deserving of unqualified commendation. He has a strong and lively sense (as who, indeed, in these days has not?) of the prodigious merits of that great man, both as a poet and a citizen; nor are these, as might be expected, lessened in his eyes, by the accident which makes the modern and the ancient republican, the Unitarians of the nineteenth and the seventeenth century, the Independents who abhor church establishments on either side of the Atlantic, coincide in all their opinions, religious as well as political. Our author's, however, is a discriminating and sober, not a blind admiration; he feels the beauties of the illustrious poet as a critic, not as a partizan; and if he sometimes misplaces his praise, and sometimes fancies he is discovering beauties long since well known and universally admired, we can pardon these little excesses, proceeding, as they do, from a laudable fondness for so noble and so inspiring a theme.

Thus, after describing his almost unrivalled sublimity and immense power—though somewhat as if neither Homer nor Dante had ever lived—he adds, 'His sublimity is in every man's mouth: is it felt that his poetry breathes a sensibility and tenderness hardly surpassed by its sublimity?' After some not very happy remarks, and, truth to say, not very intelligible, on 'great minds, being masters of their own enthusiasm,' and 'having a sensibility more intense and enduring,' and 'being more self-possessed and less perturbed than those of other men, and therefore less observed and felt, except by those who understand, through

'their own consciousness, the workings and influence of genuine feelings—he gives instances to prove that Milton could write with pathos and tenderness. Two are from 'Comus,' and the discovery made by Dr Channing through this 'congenial feeling and consciousness' to other men denied, is the *unknown* passage beginning, 'Can any mortal mixture of earth's mould.' After this we are the less surprised at the other *unknown* passage of 'Paradise Lost,' now brought to light, painting our first parents meeting in the morning, in which every other line is still, as much the subject of constant quotations as Hamlet's soliloquy—e.g., 'Heaven's last best gift,' the bee 'extracting liquid sweet,' 'temperate vapours bland,' &c. &c. But it is as well to note that he does not quote a far better instance, and one very much less hackneyed by the followers of Dr L'angloss, namely, Adam's address to Eve, beginning,

'Sweet is the breath of morn when she ascends  
With charm of earliest birds,' &c.

There is a great deal said, and certainly not too much, on the character of Satan; but of all the magical power displayed by the great bard, we believe there is none more transcendent, and none where his truly original genius more appears than in his picture of Death,—by Milton first made awful and horrid, without any mean or low association,—because by him first severed from the picture of a skeleton, and involved in impenetrable and terrible obscurity, which for that very reason, we may add in passing, Fuseli never should have committed the gross blunder of endeavouring to paint, because, for that very reason, the subject was necessarily withdrawn from the dominion of the pencil. Indeed, nothing is so remarkable as the manner in which Milton always sustains the same idea as often as he has occasion to mention the dreadful and hated being—never delineating one trait by which a picture can be formed in the imagination—never realizing a lineament in any material form, but ever keeping up the fear and the hatred which he had associated with the idea. He is the 'grisly horror'—'the execrable thing'—the 'grim feature;' as when he paints, or seems to paint him, delighted at the Fall, after describing the joy of vultures over a distant battle which they scent from on high—

'So scented the grim feature, and upturned  
His nostril wide into the murky air,  
Sagacious of his quarry from so far.'

But we are falling into Dr Channing's error—'smit with the 'love of sacred song:' only it is singular that he should make no allusion whatever to this extraordinary portion of 'Paradise Lost.'

We think, too, that no sound critic of a manly understanding

should have treated of the subject without entering his protest against the pedantic, affected displeasure shown by Addison upon one famous passage, and all the more strange in an acknowledged wit and even humourist, as well as man of undoubted taste; but it is plain that the 'parson in the tye-wig' got the better of the author of the 'Drummer.' We allude to his somewhat sharp censure on the striking and happy picture of the fiends' mirthful joking, perhaps imitated from, or at least suggested by, Dante's famous dialogue between Sinon and Adamo in the 'Inferno.' It is remarkable that Addison seems really unable to find any other matter of blame in the whole twelve Books; though assuredly the harshness of some parts, and the dulness of others, which have, as Johnson truly observed, given 'Paradise Lost' so many more examiners than readers, might have furnished better scope for criticism.

From the poetry, Dr Channing turns to the prose writings of Milton; and he at once pronounces it to be a lesson long known to the initiated, and which the public are now learning, that they contain passages hardly inferior to his best poetry, and that they are marked throughout with the same vigorous mind which gave us *Paradise Lost*. Now, as we are not amongst the initiated, we must take leave to pause upon this dictum, which prefaces the eulogy upon obscure composition already cited and discussed. We entirely deny the superlative merits of Milton's prose compositions; without, of course, doubting that they have great beauties of a certain kind, and contain occasionally fine passages. Nor is our denial grounded, as Dr Channing would suppose, from his defence of obscurity, upon that or upon their difficulty, for indeed we do not see any obscurity or difficulty in them; but they are written in a style the reverse of natural; the matter is always, or almost always, very inferior to the silted diction; the author is ever labouring to look big; he is making a vast noise, and you cannot tell why; he is writing about it, and about it, without coming to the point. Nor is his diction, either in the arrangement, or the words, any thing like English. Does any one really believe that we should use a language such as the following—only remarkable for its involution, and for being pompous, whilst it says nothing? It is part of a passage cited by our author as exemplifying Milton's 'noble style.'—'Conceiving, therefore, this wayward subject against Prelaty, the touching whereof is so distasteful and disquietous to a number of men, as by what hath been said I may deserve of my readers to be credited, that neither envy nor gall hath entered ever upon this controversy, but the enforcement of conscience only, and a preventive fear least the omitting of this duty should be against me, when I would store

‘up to myself the good provision of peaceful hours.’ Nor do we much more admire the description of poetry ending with—‘Whatsoever in religion is holy and sublime, in virtue amiable or grave; whatever hath passion or admiration in all the changes of that which is called fortune from without, or the wily subtilties or refluxes of man’s thoughts; all these things, with a solid and treatable smoothness, to point out and describe.’ So where he alludes to his immortal work then planned, possibly begun, he describes it as ‘not to be raised from the heat of youth or the vapours of wine, like that which flows at waste from the pen of some vulgar amourant, or the trencher fury of a rhyming parasite, nor to be obtained by the provocation of Dame Memory and her syren daughters.’ Again, he speaks of ‘God and his secretary, conscience,’ and ‘a conscience that could retch.’ • The prayer at the end of the ‘Reformation in England’ has been always much admired; and its impressive and solemn magnificence is not denied, any more than that so great an occasion as prayer to the Most High justifies lofty diction. Yet how does it conclude? ‘In supereminence of beatific vision, progressing the dateless and irrevoluble circle of eternity, shall clasp inseparable hands with joy and bliss in over measure for ever.’ Now, when we humbly venture to reject this style altogether (and we might give far worse samples, for indeed these are taken from the very finest passages), we have on our side no less than the high authority of Milton himself, to set against Dr Channing’s. Who ever could trace the faintest resemblance to such diction in any of those divine compositions, where, being at home, he writes at his ease and naturally—walking without stilts, and thinking not of himself but of his great subject? What line in all the ‘Paradise Lost’ ever approaches in the least degree to such turgid inflation? There all is simple, and easy, and light, and natural—even where the theme is most lofty, and would excuse, nay, almost demand, a swelling in the diction. The truth is, that Milton wrote Prose upon a False system, and Poetry on a True. He seems to have thought that a man must never write as he would speak. Whatever he had got to say must be delivered in an out of the way fashion. Not a sentence can be found in all the prose works which is easy or natural. Not an idea meets us which a person would have expressed in the same way had he followed the simple course of telling us plainly what he thought and meant. It is an eternal labour of language, very sonorous doubtless, but very often out comes nothing, or but little, from all the heavings of the mountain. Ask you an example of the contrast which the poetry affords, so as almost to make us fancy he thought and talked in blank verse, and only composed when he sat him down to write in prose, ‘*numerus lege solutis*?’ It may be found in

every line, but certainly in all the finest passages. Take the exquisite address to Eve, already referred to, at almost any part, from the beginning, which we have cited, to the end.

‘ But neither breath of morn, when she ascends  
With charm of earliest birds, nor herb, fruit, flower,  
Glittering with dew, nor fragrance after showers,  
Nor grateful evening mild, nor silent night,  
With this her solemn bird, nor walk by moon  
Or glittering starlight, without thee are sweet !’

So the famous morning prayer—

‘ Fountains, and ye that warble as ye flow,  
Melodious murmurs, warbling, tune His praise !  
Ye mists and exhalations, that ascend  
From hill or streaming lake, dusky or grey,  
Till the sun paint your fleecy skirts with gold ;  
Whether to deck with clouds the uncoloured sky,  
Or wet the thirsty earth with falling showers,  
Rising or falling, still advance His praise !  
His praise, ye winds, that from four quarters sweep,  
Breathe soft or loud ; and wave your heads, ye pines,  
And every plant, in sign of worship, wave !’

Nay, the marvellous description of Death is itself as simple in the diction as may be ; and can any thing exceed its power ? In all this there is nothing inflated, swollen, unnatural ; nothing of ‘ solid or treatable smoothness’—or ‘ trencher fury’—or ‘ flowing at waste’—or ‘ Dame Memory’—or ‘ conscience God’s ‘ secretary’—or ‘ conscience retching’—‘ and men splitting their ‘ faith’,—nothing of ‘ irrevoluble and dateless’ or ‘ inseparable ‘ hands’—or even of ‘ over measure.’ The same language might be used in a speech at this day, where the subject was grave, and the matter was duly wrought up, and the hearers prepared. In all the description of Death, there is not a word above the common standard of conversation—not a phrase out of the ordinary way of speaking. Does Dr Channing imagine it to be the less powerful because of this plainness ? Indeed, even if many inflated passages should be shown in the poetry, what an account of a prose style is it to say, that it is always of the same inflation with certain passages of a poem undertaking to describe Heaven and Hell, and record the battles of devils with the Almighty and his seraphic host ? But it is also to be added, that, find out inflated passages when you may, and in whatever numbers, the admiration of ages has been stamped upon the others, as the glory of Milton’s name, and that these others are written in a style as plain, as perspicuous, as natural, as the prose diction is turgid and out of nature.

**ART. X.—***The State in its relations with the Church.* By W. E. GLADSTONE, Esq., Student of Christ Church, and M. P. for Newark. 8vo. Second Edition. London: 1839.

**T**HE author of this volume is a young man of unblemished character, and of distinguished parliamentary talents, the rising hope of those stern and unbending Tories, who follow, reluctantly and mutinously, a leader, whose experience and eloquence are indispensable to them, but whose cautious temper and moderate opinions they abhor. It would not be at all strange if Mr Gladstone were one of the most unpopular men in England. But we believe that we do him no more than justice when we say, that his abilities and his demeanour have obtained for him the respect and good will of all parties. His first appearance in the character of an author is therefore an interesting event; and it is natural that the gentle wishes of the public should go with him to his trial.

We are much pleased, without any reference to the soundness or unsoundness of Mr Gladstone's theories, to see a grave and elaborate treatise on an important part of the Philosophy of Government proceed from the pen of a young man who is rising to eminence in the House of Commons. There is little danger that people engaged in the conflicts of active life will be too much addicted to general speculation. The opposite vice is that which most easily besets them. The times and tides of business and debate tarry for no man. A politician must often talk and act before he has thought and read. He may be very ill-informed respecting a question; all his notions about it may be vague and inaccurate; but speak he must; and if he is a man of talents, of tact, and of intrepidity, he soon finds that, even under such circumstances, it is possible to speak successfully. He finds that there is a great difference between the effect of written words, which are perused and reperused in the stillness of the closet, and the effect of spoken words, which, set off by the graces of utterance and gesture, vibrate for a single moment on the ear. He finds that he may blunder without much chance of being detected, that he may reason sophistically, and escape unrefuted. He finds that, even on knotty questions of trade and legislation, he can, without reading ten pages, or thinking ten minutes, draw forth loud plaudits, and sit down with the credit of having made an excellent speech. Lysias, says Plutarch, wrote a defence for a man who was to be tried before one of the Athenian tribunals. Long before the defendant had learned the

speech by heart, he became so much dissatisfied with it, that he went in great distress to the author. "I was delighted with your speech the first time I read it; but I liked it less the second time, and still less the third time; and now it seems to me to be no defence at all." "My good friend," said Lysias, "you quite forget that the judges are to hear it only once." The case is the same in the English parliament. It would be as idle in an orator to waste deep meditation and long research on his speeches, as it would be in the manager of a theatre to adorn all the crowd of courtiers and ladies who cross over the stage in a procession with real pearls and diamonds. It is not by accuracy or profundity that men become the masters of great assemblies. And why be at the charge of providing logic of the best quality, when a very inferior article will be equally acceptable? Why go as deep into a question as Burke, only in order to be, like Burke, coughed down, or left speaking to green benches and red boxes? This has long appeared to us to be the most serious of the evils which are to be set off against the many blessings of popular government. It is a fine and true saying of Bacon, that reading makes a full man, talking a ready man, and writing an exact man. The tendency of institutions like those of England, is to encourage readiness in public men, at the expense both of fulness and of exactness. The keenest and most vigorous minds of every generation, minds often admirably fitted for the investigation of truth, are habitually employed in producing arguments, such as no man of sense would ever put into a treatise intended for publication,—arguments which are just good enough to be used once, when aided by fluent delivery, and pointed language. The habit of discussing questions in this way necessarily reacts on the intellects of our ablest men; particularly of those who are introduced into parliament at a very early age, before their minds have expanded to full maturity. The talent for debate is developed in such men to a degree which, to the multitude, seems as marvellous as the performances of an Italian *improvisatore*. But they are fortunate, indeed, if they retain unimpaired the faculties which are required for close reasoning, or for enlarged speculation. Indeed, we should sooner expect a great original work on political science,—such a work, for example, as the 'Wealth of Nations'—from an Apothecary in a country town, or from a Minister in the Hebrides, than from a statesman who, ever since he was one-and-twenty, had been a distinguished debater in the House of Commons.

We, therefore, hail with pleasure, though assuredly not with unmixed pleasure, the appearance of this work. That a young politician should, in the intervals afforded by his parliamentary

avocations, have constructed and propounded, with much study and mental toil, an original theory on a great problem in politics, is a circumstance which, abstracted from all consideration of the soundness or unsoundness of his opinions, must be considered as highly creditable to him. We certainly cannot wish that Mr Gladstone's doctrines may become fashionable among public men. But we heartily wish that his laudable desire to penetrate beneath the surface of questions, and to arrive, by long and intent meditation, at the knowledge of great general laws, were much more fashionable than we at all expect it to become.

Mr Gladstone seems to us to be, in many respects, exceedingly well qualified for philosophical investigation. His mind is of large grasp; nor is he deficient in dialectical skill. But he does not give his intellect fair play. There is no want of light, but a great want of what Bacon would have called dry light. Whatever Mr Gladstone sees is refracted and distorted by a false medium of passions and prejudices. His style bears a remarkable analogy to his mode of thinking, and indeed exercises great influence on his mode of thinking. His rhetoric, though often good of its kind, darkens and perplexes the logic which it should illustrate. Half his acuteness and diligence, with a barren imagination and a scanty vocabulary, would have saved him from almost all his mistakes. He has one gift most dangerous to a speculator,—a vast command of a kind of language, grave and majestic, but of vague and uncertain import,—of a kind of language which affects us much in the same way in which the lofty diction of the chorus of Clouds affected the simple-hearted Athenian. ●

ἢ γῆ τοῦ φθίγματος, ὡς ἱερὸν, καὶ σιμὸν, καὶ τερατῶδες.

When propositions have been established, and nothing remains but to amplify and decorate them, this dim magnificence may be in place. But if it is admitted into a demonstration, it is very much worse than absolute nonsense;—just as that transparent haze, through which the sailor sees capes and mountains of false sizes, and in false bearings, is more dangerous than utter darkness. Now, Mr Gladstone is fond of employing the phraseology of which we speak in those parts of his work which require the utmost perspicuity and precision of which human language is capable; and in this way, he deludes first himself, and then his readers. The foundations of his theory, which ought to be buttresses of adamant, are made out of the flimsy materials which are fit only for perorations. This fault is one which no subsequent care or industry can correct. The more strictly Mr Gladstone reasons on his premises, the more absurd are the conclusions which he brings out; and when at last his good sense and good



nature recoil from the horrible practical inferences to which his theory leads, he is reduced sometimes to take refuge in arguments inconsistent with his fundamental doctrines; and sometimes to escape from the legitimate consequences of his false principles, under cover of equally false history.

It would be unjust not to say, that this book, though not a good book, shows more talent than many good books. It abounds with eloquent and ingenious passages. It bears the signs of much patient thought. It is written throughout with excellent taste and excellent temper; nor does it, so far as we have observed, contain one expression unworthy of a gentleman, a scholar, or a Christian. But the doctrines which are put forth in it appear to us, after full and calm consideration, to be false; to be in the highest degree pernicious; to be such as, if followed out in practice to their legitimate consequences, would inevitably produce the dissolution of society: and for this opinion, we shall proceed to give our reasons with that freedom which the importance of the subject requires, and which Mr Gladstone, both by precept and by example, invites us to use, but, we hope, without rudeness, and, we are sure, without malevolence.

Before we enter on an examination of this theory, we wish to guard ourselves against one misconception. It is possible that some persons who have read Mr Gladstone's book carelessly, and others who have merely heard in conversation, or seen in a newspaper, that the member for Newark has written in defence of the Church of England against the supporters of the Voluntary System, may imagine that we are writing in defence of the voluntary system, and that we desire the abolition of the Established Church. This is not the case. It would be as unjust to accuse us of attacking the Church, because we attack Mr Gladstone's doctrines, as it would be to accuse Locke of wishing for anarchy, because he refuted Filmer's patriarchal theory of government; or to accuse Blackstone of recommending the confiscation of ecclesiastical property, because he denied that the right of the rector to tithe was derived from the Levitical law. It is to be observed, that Mr Gladstone rests his case on entirely new grounds; and does not differ more widely from us than from some of those who have hitherto been considered as the most illustrious champions of the Church. He is not content with the 'Ecclesiastical Polity,' and rejoices that the latter part of that celebrated work 'does not carry with it the weight of Hooker's plenary authority.' He is not content with Bishop Warburton's 'Alliance of Church and State.' 'The propositions of that work generally,' he says, 'are to be received with qualification;' and he agrees with Bolingbroke in thinking, that Warburton's whole

theory rests on a fiction. He is still less satisfied with Paley's Defence of the Church, which he pronounces to be 'tainted by 'the original vice of false ethical principles,' and 'full of the seeds 'of evil.' He conceives that Dr Chalmers has taken a partial view of the subject, and 'put forth much questionable matter.' In truth, on almost every point on which we are opposed to Mr Gladstone, we have on our side the authority of some divine, eminent as a defender of existing establishments.

Mr Gladstone's whole theory rests on this great fundamental proposition,—that the Propagation of Religious Truth is one of the principal Ends of Government, as government. If Mr Gladstone has not proved this proposition, his system vanishes at once.

We are desirous, before we enter on the discussion of this important question, to point out clearly a distinction which, though very obvious, seems to be overlooked by many excellent people. In their opinion, to say that the ends of government are temporal and not spiritual, is tantamount to saying, that the temporal welfare of man is of more importance than his spiritual welfare. But this is an entire mistake. The question is not whether spiritual interests be or be not superior in importance to temporal interests; but whether the machinery which happens at any moment to be employed for the purpose of protecting certain temporal interests of a society, be necessarily such a machinery as is fitted to promote the spiritual interests of that society. It is certain, that without a division of duties the world could not go on. It is of very much more importance, that men should have food than that they should have pianofortes. Yet it by no means follows, that every pianoforte-maker ought to add the business of a baker to his own; for if he did so, we should have both much worse music, and much worse bread. It is of much more importance that the knowledge of religious truth should be widely diffused, than that the art of sculpture should flourish among us. Yet it by no means follows, that the Royal Academy ought to unite with its present functions those of the Society for promoting Christian Knowledge, to distribute theological tracts, to send forth missionaries, to turn out Nollekens for being a Catholic, Bacon for being a Methodist, and Flaxman for being a Swedenborgian. For the effect of such folly would be, that we should have the worst possible academy of arts, and the worst possible society for the promotion of Christian knowledge. The community, it is plain, would be thrown into universal confusion, if it were supposed to be the duty of every association, which is formed for one good object, to promote every other good object.

As to some of the ends of civil government, all people are

agreed. That it is designed to protect our persons and our property,—that it is designed to compel us to satisfy our wants, not by rapine, but by industry,—that it is designed to compel us to decide our differences, not by the strong hand, but by arbitration,—that it is designed to direct our whole force, as that of one man, against any other society which may offer us injury,—these are propositions which will hardly be disputed.

Now these are matters in which man, without any reference to any higher being, or to any future state, is very deeply interested. Every man, be he idolater, Mahometan, Jew, Papist, Socinian, Deist, or Atheist; naturally loves life, shrinks from pain, desires those comforts which can be enjoyed only in communities where property is secure. To be murdered, to be tortured, to be robbed, to be sold into slavery, to be exposed to the outrages of gangs of foreign banditti calling themselves patriots—these are evidently evils from which men of every religion, and men of no religion, wish to be protected; and therefore it will hardly be disputed that men of every religion, and of no religion, have thus far a common interest in being well governed.

But the hopes and fears of man are not limited to this short life and to this visible world. He finds himself surrounded by the signs of a power and wisdom higher than his own; and, in all ages and nations, men of all orders of intellects, from Bacon and Newton down to the rudest tribes of cannibals, have believed in the existence of some superior mind. Thus far the voice of mankind is almost unanimous. But whether there be one God or many—what may be his natural and what his moral attributes—in what relation his creatures stand to him—whether he have ever disclosed himself to us by any other revelation than that which is written in all the parts of the glorious and well-ordered world which he has made—whether his revelation be contained in any permanent record—how that record should be interpreted, and whether it have pleased him to appoint any unerring interpreter on earth—these are questions respecting which there exists the widest diversity of opinion, and respecting which the great majority of our race has, ever since the dawn of regular history, been deplorably in error.

Now here are two great objects:—One is the protection of the persons and estates of citizens from injury; the other is the propagation of religious truth. No two objects more entirely distinct can well be imagined. The former belongs wholly to the visible and tangible world in which we live; the latter belongs to that higher world which is beyond the reach of our senses. The former belongs to this life; the latter to that which is to come. Men who are perfectly agreed as to the importance

of the former object, and as to the way of attaining it, differ as widely as possible respecting the latter object. We must, therefore, pause before we admit that the persons, be they who they may, who are intrusted with power for the promotion of the former object, ought always to use that power for the promotion of the latter object.

Mr Gladstone conceives that the duties of governments are paternal;—a doctrine which we shall not believe till he can show us some government which loves its subjects as a father loves a child, and which is as superior in intelligence to its subjects as a father is superior to a child. He tells us, in lofty though somewhat indistinct language, that “Government occupies in moral the place of *το παν* in physical science.” If government be indeed *το παν* in moral science, we do not understand why rulers should not assume all the functions which Plato assigned to them. Why should they not take away the child from the mother, select the nurse, regulate the school, overlook the playground, fix the hours of labour and of recreation, prescribe what ballads shall be sung, what tunes shall be played, what books shall be read, what physic shall be swallowed?—Why should not they choose our wives, limit our expenses, and stint us to a certain number of dishes, of glasses of wine, and of cups of tea? Plato, whose hardihood in speculation was perhaps more wonderful than any other peculiarity of his extraordinary mind, and who shrank from nothing to which his principles led, went this whole length. Mr Gladstone is not so intrepid. He contents himself with laying down this proposition—that, whatever be the body which in any community is employed to protect the persons and property of men, that body ought also, in its corporate capacity, to profess a religion, to employ its power for the propagation of that religion, and to require conformity to that religion, as an indispensable qualification for all civil office. He distinctly declares that he does not in this proposition confine his view to orthodox governments, or even to Christian governments. The circumstance that a religion is false does not, he tells us, diminish the obligation of governors, as such, to uphold it. If they neglect to do so, ‘we cannot,’ he says, ‘but regard the fact as aggravating the case of the ‘holders of such creed.’ ‘I do not scruple to affirm,’ he adds, ‘that, if a Mahometan conscientiously believes his religion to ‘come from God, and to teach divine truth, he must believe ‘that truth to be beneficial, and beneficial beyond all other ‘things to the soul of man; and he must, therefore, and ought ‘to desire its extension, and to use for its extension all proper ‘and legitimate means; and that, if such Mahometan be a

‘prince, he ought to count among those means the application of whatever influence or funds he may lawfully have at his disposal for such purposes.’

Surely, this is a hard saying. Before we admit that the Emperor Julian, in employing the influence and the funds at his disposal for the extinction of Christianity, was doing no more than his duty—before we admit that the Arian, Theodoric, would have committed a crime if he had suffered a single believer in the divinity of Christ to hold any civil employment in Italy—before we admit that the Dutch Government is bound to exclude from office all members of the Church of England; the King of Bavaria to exclude from office all Protestants; the Great Turk to exclude from office all Christians; the King of Ava to exclude from office all who hold the unity of God—we think ourselves entitled to demand very full and accurate demonstration. When the consequences of a doctrine are so startling, we may well require that its foundations shall be very solid.

The following paragraph is a specimen of the arguments by which Mr Gladstone has, as he conceives, established his great fundamental proposition:—

‘We may state the same proposition in a more general form, in which it surely must command universal assent. Wherever there is power in the universe, that power is the property of God, the King of that universe—his property of right, however for a time withholden or abused. Now this property is, as it were, realized, is used according to the will of the owner, when it is used for the purposes he has ordained, and in the temper of mercy, justice, truth, and faith, which he has taught us. But those principles never can be truly, never can be permanently, entertained in the human breast, except by a continual reference to their source, and the supply of the Divine grace. The powers, therefore, that dwell in individuals acting as a government, as well as those that dwell in individuals acting for themselves, can only be secured for right uses by applying to them a religion.’

Here are propositions of vast and indefinite extent, conveyed in language which has a certain obscure dignity and sanctity,—attractive, we doubt not, to many minds. But the moment that we examine these propositions closely,—the moment that we bring them to the test by running over but a very few of the particulars which are included in them, we find them to be false and extravagant. This doctrine which ‘must surely command universal assent’ is, that every association of human beings which exercises any power whatever—that is to say, every association of human beings—is bound, as such association, to profess a religion. Imagine the effect which would follow if this principle were really in force during four-and-twenty hours.

Take one instance out of a million:—A stage-coach company has power over its horses. This power is the property of God. It is used according to the will of God when it is used with mercy. But the principle of mercy can never be truly or permanently entertained in the human breast without continual reference to God. The powers, therefore, that dwell in individuals, acting as a stage-coach company, can only be secured for right uses by applying to them a religion. Every stage-coach company ought, therefore, in its collective capacity, to profess some one faith,—to have its articles, and its public worship, and its tests. That this conclusion, and an infinite number of other conclusions equally strange, follow of necessity from Mr Gladstone's principle, is as certain as it is that two and two make four. And if the legitimate conclusions be so absurd, there must be something unsound in the principle.

We will quote another passage of the same sort:—

'Why, then, we now come to ask, should the governing body in a state profess a religion? First, because it is composed of individual *men*; and they, being appointed to act in a definite moral capacity, must sanctify their acts done in that capacity by the offices of religion; inasmuch as the acts cannot otherwise be acceptable to God, or anything but sinful and punishable in themselves. And whenever we turn our face away from God in our conduct, we are living atheistically. . . .

. . . In fulfilment, then, of his obligations as an individual, the statesman must be a worshipping man. But his acts are public—the powers and instruments with which he works are public—acting under and by the authority of the law, he moves at his word ten thousand subject arms; and because such energies are thus essentially public, and wholly out of the range of mere individual agency; they must be sanctified not only by the private personal prayers and piety of those who fill public situations, but also by public acts of the men composing the public body. They must offer prayer and praise in their public and collective character—in that character wherein they constitute the organ of the nation, and wield its collected force. Wherever there is a reasoning agency, there is a moral duty and responsibility involved in it. The governors are reasoning agents for the nation, in their conjoint acts as such. And therefore there must be attached to this agency, as that without which none of our responsibilities can be met, a religion. And this religion must be that of the conscience of the governor, or none.'

Here again we find propositions of vast sweep, and of sound so orthodox and solemn, that many good people, we doubt not, have been greatly edified by it. But let us examine the words closely, and it will immediately become plain that, if these principles be once admitted, there is an end of all society. No combination can be formed for any purpose of mutual help,—for trade, for public works, for the relief of the sick or the poor, for

the promotion of art or science, unless the members of the combination agree in their theological opinions. Take any such combination at random—the London and Birmingham Railway Company, for example—and observe to what consequences Mr Gladstone's arguments inevitably lead. 'Why should the Directors of the Railway Company, in their collective capacity, profess a religion? First, because the direction is composed of individual men appointed to act in a definite moral capacity—bound to look carefully to the property, the limbs, and the lives of their fellow-creatures—bound to act diligently for their constituents—bound to govern their servants with humanity and justice—bound to fulfil with fidelity many important contracts. They must, therefore, sanctify their acts by the offices of religion, or these acts will be sinful and punishable in themselves. In fulfilment, then, of his obligations as an individual, the Director of the London and Birmingham Railway Company must be a worshipping man. But his acts are public. He acts for a body. He moves at his word ten thousand subject arms. And because these energies are out of the range of his mere individual agency, they must be sanctified by public acts of devotion. The Railway Directors must offer prayer and praise in their public and collective character, in that character wherewith they constitute the organ of the Company, and wield its collected power. Wherever there is reasoning agency, there is moral responsibility. The Directors are reasoning agents for the Company. And therefore there must be attached to this agency, as that without which none of our responsibilities can be met—a religion. And this religion must be that of the conscience of the Director himself, or none. There must be public worship and a test. No Jew, no Socinian, no Presbyterian, no Catholic, no Quaker, must be permitted to be the organ of the Company, and to wield its collected force.' Would Mr Gladstone really defend this proposition? We are sure that he would not; but we are sure that to this proposition, and to innumerable similar propositions, his reasoning inevitably leads.

Again,—

'National will and agency are indisputably one, binding either a dissentient minority or the subject body, in a manner that nothing but the recognition of the doctrine of national personality can justify. National honour and good faith are words in every one's mouth. How do they less imply a personality in nations than the duty towards God, for which we now contend? They are strictly and essentially distinct from the honour and good faith of the individuals composing the nation. France is a person to us, and we to her. A wilful injury done to her is a moral act, and a moral act quite distinct from the acts of all the individuals

composing the nation. Upon broad facts like these we may rest, without resorting to the more technical proof which the laws afford in their manner of dealing with corporations. If, then, a nation have unity of will, have pervading sympathies, have the capability of reward and suffering contingent upon its acts, shall we deny its responsibility; its need of a religion to meet that responsibility? . . . A nation, then, having a personality, lies under the obligation, like the individuals composing its governing body, of sanctifying the acts of that personality by the offices of religion, and thus we have a new and imperative ground for the existence of a state religion.

A new ground, certainly, but whether very imperative, may be doubted. Is it not perfectly clear, that this argument applies with exactly as much force to every combination of human beings for a common purpose, as to governments? Is there any such combination in the world, whether technically a corporation or not, which has not this collective personality from which Mr Gladstone deduces such extraordinary consequences? Look at banks, insurance offices, dock companies, canal companies, gas companies, hospitals, dispensaries, associations for the relief of the poor, associations for apprehending malefactors, associations of medical pupils for procuring subjects, associations of country gentlemen for keeping fox-hounds, book societies, benefit societies, clubs of all ranks, from those which have lined Pall-Mall and St James's Street with their palaces, down to the 'Free-and-easy' which meets in the shabby parlour of a village inn. Is there a single one of these combinations to which Mr Gladstone's argument will not apply as well as to the State? In all these combinations—in the Bank of England, for example, or in the Athenæum club—the will and agency of the society are one, and bind the dissentient minority. The Bank and the Athenæum have a good faith and a justice different from the good faith and justice of the individual members. The Bank is a person to those who deposit bullion with it. The Athenæum is a person to the butcher and the wine-merchant. If the Athenæum keeps money at the Bank, the two societies are as much persons to each other as England and France. Either society may increase in prosperity; either may fall into difficulties. If, then, they have this unity of will; if they are capable of doing and suffering good and evil, can we, to use Mr Gladstone's words, deny their responsibility, or their need of a religion to meet that responsibility? Joint-stock banks, therefore, and clubs, 'having a personality, lie under the necessity of sanctifying that personality by the offices of religion;' and thus we have 'a new and imperative ground' for requiring all the directors and clerks of joint-stock banks, and all the officers of clubs, to qualify by taking the sacrament.



The truth is, that Mr Gladstone has fallen into an error very common among men of less talents than his own. It is not unusual for a person who is eager to prove a particular proposition, to assume a *major* of huge extent, which includes that particular proposition, without ever reflecting that it includes a great deal more. The fatal facility with which Mr Gladstone multiplies expressions stately and sonorous, but of indeterminate meaning, eminently qualifies him to practise this sleight on himself and on his readers. He lays down broad general doctrines about power, when the only power of which he is thinking is the power of governments,—about conjoint action, when the only conjoint action of which he is thinking is the conjoint action of citizens in a state. He first resolves on his conclusion. He then makes a *major* of most comprehensive dimensions; and, having satisfied himself that it contains his conclusion, never troubles himself about what else it may contain. And, as soon as we examine it, we find that it contains an infinite number of conclusions, every one of which is a monstrous absurdity.

It is perfectly true, that it would be a very good thing if all the members of all the associations in the world were men of sound religious views. We have no doubt that a good Christian will be under the guidance of Christian principles, in his conduct as director of a canal company or steward of a charity dinner. If he were,—to recur to a case which we before put,—a member of a stage-coach company, he would, in that capacity, remember that ‘a righteous man regardeth the life of his beast.’ But it does not follow that every association of men must therefore, as such association, profess a religion. It is evident that many great and useful objects can be attained in this world only by co-operation. It is equally evident that there cannot be efficient co-operation, if men proceed on the principle that they must not co-operate for one object unless they agree about other objects. Nothing seems to us more beautiful or admirable in our social system, than the facility with which thousands of people, who perhaps agree only on a single point, combine their energies for the purpose of carrying that single point. We see daily instances of this. Two men, one of them obstinately prejudiced against missions, the other president of a missionary society, sit together at the board of an hospital, and heartily concur in measures for the health and comfort of the patients. Two men, one of whom is a zealous supporter and the other, a zealous opponent of the system pursued in Lancaster’s schools, meet at the Mendicity Society, and act together with the utmost cordiality. The general rule we take to be undoubtedly this, that it is lawful and expedient for men to unite in an association for the

promotion of a good object, though they may differ with respect to other objects of still higher importance.

It will hardly be denied that the security of the persons and property of men is a good object, and that the best way, indeed the only way, of promoting that object is to combine men together in certain great corporations,—which are called States. These corporations are very variously, and, for the most part, very imperfectly organized. Many of them abound with frightful abuses. But it seems reasonable to believe that the worst that ever existed was, on the whole, preferable to complete anarchy.

Now, reasoning from analogy, we should say that these great corporations would, like all other associations, be likely to attain their end most perfectly if that end were kept singly in view; and that to refuse the services of those who are admirably qualified to promote that end, because they are not also qualified to promote some other end, however excellent, seems at first sight as unreasonable as it would be to provide, that nobody who was not a fellow of the Antiquarian Society should be a governor of the Eye Infirmary; or that nobody who was not a member of the Society for promoting Christianity among the Jews should be a trustee of the Theatrical Fund.

It is impossible to name any collection of human beings to which Mr Gladstone's reasonings would apply more strongly than to an army. Where shall we find more complete unity of action than in an army? Where else do so many human beings implicitly obey one ruling mind? What other mass is there which moves so much like one man? Where is such tremendous power intrusted to those who command? Where is so awful a responsibility laid upon them? If Mr Gladstone has made out, as he conceives, an imperative necessity for a State Religion, much more has he made it out to be imperatively necessary that every Army should, in its collective capacity, profess a religion. Is he prepared to adopt this consequence?

On the morning of the 13th of August, in the year 1704, two great captains, equal in authority, united by close private and public ties, but of different creeds, prepared for a battle, on the event of which were staked the liberties of Europe. Marlborough had passed a part of the night in prayer, and before day-break received the sacrament according to the rites of the Church of England. He then hastened to join Eugene, who had probably just confessed himself to a Popish priest. The generals consulted together, formed their plan in concert, and repaired each, to his own post. Marlborough gave orders for public prayers. The English chaplains read the service at the head of the English regiments. The Calvinistic chaplains of the Dutch army, with

heads on which hand of Bishop had never been laid, poured forth their supplications in front of their countrymen. In the mean time, the Danes might listen to their Lutheran ministers; and Capuchins might encourage the Austrian squadrons, and pray to the Virgin for a blessing on the arms of the Holy Roman Empire. The battle commences, and these men of various religions all act like members of one body. The Catholic and the Protestant general exert themselves to assist, and to surpass each other. Before sunset the Empire is saved. France has lost in a day the fruits of eighty years of intrigue and of victory. And the allies, after conquering together, return thanks to God separately, each after his own form of worship. Now, is this practical atheism? Would any man in his senses say, that, because the allied army had unity of action and a common interest, and because a heavy responsibility lay on its Chiefs, it was therefore imperatively necessary that the Army should, as an Army, have one established religion—that Eugene should be deprived of his command for being a Catholic—that all the Dutch and Austrian colonels should be broken for not subscribing the Thirty-nine Articles? Certainly not. The most ignorant grenadier on the field of battle would have seen the absurdity of such a proposition. ‘I know,’ he would have said, ‘that the Prince of Savoy goes to mass, and that our Corporal John cannot abide it; but what has the mass to do with the taking of the village of Blenheim? The prince wants to beat the French, and so does Corporal John. If we stand by each other we shall most likely beat them. If we send all the Papists and Dutch away, Tallard will have every man of us.’—Mr Gladstone himself, we imagine, would admit that our honest grenadier had the best of the argument; and if so, what follows? Even this: that all Mr Gladstone’s general principles about power, and responsibility, and personality, and joint action, must be given up; and that, if his theory is to stand at all, it must stand on some other foundation.

We have now, we conceive, shown that it may be proper to form men into combinations for important purposes, which combinations shall have unity and common interests, and shall be under the direction of rulers intrusted with great power and lying under solemn responsibility; and yet that it may be highly improper that these combinations should, as such, profess any one system of religious belief, or perform any joint act of religious worship. How, then, is it proved that this may not be the case with some of those great combinations which we call States? We firmly believe that it is the case with some states. We firmly believe that there are communities in which it would be as absurd to mix up theology with government, as it would have been in

the right wing of the allied army at Blenheim to commence a controversy with the left wing, in the middle of the battle, about purgatory and the worship of images.

• It is the duty, Mr Gladstone tells us, of the persons, be they who they may, who hold supreme power in the state, to employ that power in order to promote whatever they may deem to be theological truth. Now, surely, before he can call on us to admit this proposition, he is bound to prove that these persons are likely to do more good than harm by so employing their power. The first question is, whether a government, proposing to itself the propagation of religious truth, as one of its principal ends, is more likely to lead the people right, than to lead them wrong? Mr Gladstone evades this question, and perhaps it was his wisest course to do so.

‘If,’ says he, ‘the government be good, let it have its natural duties and powers at its command; but, if not good, let it be made so. . . . We follow, therefore, the true course in looking first for the true *idea*, or abstract conception of a government, of course with allowance for the evil and frailty that are in man, and then in examining whether there be comprised in that *idea* a capacity and consequent duty on the part of a government to lay down any laws, or devote any means for the purposes of religion,—in short, to exercise a choice upon religion.’

Of course, Mr Gladstone has a perfect right to argue any abstract question; provided he will constantly bear in mind that it is only an abstract question that he is arguing. Whether a perfect government would or would not be a good machinery for the propagation of religious truth, is certainly a harmless, and may, for aught we know, be an edifying subject of enquiry. But it is very important that we should remember, that there is not, and never has been any such government in the world. There is no harm at all in enquiring what course a stone thrown into the air would take, if the law of gravitation did not operate. But the consequences would be unpleasant, if the enquirer, as soon as he had finished his calculation, were to begin to throw stones about in all directions, without considering that his conclusion rests on a false hypothesis; and that his projectiles, instead of flying away through infinite space, will speedily return in parabolas, and break the windows and heads of his neighbours.

It is very easy to say that governments are good, or, if not good, ought to be made so. But what is meant by good government? And how are all the bad governments in the world to be made good? And of what value is a theory which is true only on a supposition in the highest degree extravagant?

We do not admit that, if a government were, for all its temporal ends, as perfect as human frailty allows, such government

would, therefore, be necessarily qualified to propagate true religion. For we see that the fitness of governments to propagate true religion is by no means proportioned to their fitness for the temporal ends of their institution. Looking at individuals, we see that the princes under whose rule nations have been most ably protected from foreign and domestic disturbance, and have made the most rapid advances in civilisation, have been by no means good teachers of divinity. Take, for example, the best French sovereign,—Henry the Fourth, a king who restored order, terminated a terrible civil war, brought the finances into an excellent condition, made his country respected throughout Europe, and endeared himself to the great body of the people whom he ruled. Yet this man was twice a Huguenot; and twice a Papist. He was, as Davila hints, strongly suspected of having no religion at all in theory; and was certainly not much under religious restraints in his practice. Take the Czar Peter,—the Empress Catharine,—Frederick the Great. It will surely not be disputed that these sovereigns, with all their faults, were, if we consider them with reference merely to the temporal ends of government, far above the average of merit. Considered as theological guides, Mr Gladstone would probably put them below the most abject drivellers of the Spanish branch of the house of Bourbon. Again, when we pass from individuals to systems, we by no means find that the aptitude of governments for propagating religious truth is proportioned to their aptitude for secular functions. Without being blind admirers either of the French, or of the American institutions, we think it clear that the persons and property of citizens are better protected in France and in New England than in almost any society that now exists, or that has ever existed, very much better, certainly, than under the orthodox rule of Constantine or Theodosius. But neither the government of France, nor that of New England, is so organized as to be fit for the propagation of theological doctrines. Nor do we think it improbable, that the most serious religious errors might prevail in a state, which, considered merely with reference to temporal objects, might approach far nearer than any that has ever been known to the *idea* of what a state should be.

But we shall leave this abstract question, and look at the world as we find it. Does, then, the way in which governments generally obtain their power, make it at all probable that they will be more favourable to orthodoxy than to heterodoxy? A nation of barbarians pours down on a rich and unwarlike empire, enslaves the people, portions out the land, and blends the institutions which it finds in the cities with those which it has brought from the woods. A handful of daring adventurers from a civilized nation,

wander to some savage country, and reduce the aboriginal race to bondage. A successful general turns his arms against the state which he serves. A society, made brutal by oppression, rises madly on its masters, sweeps away all old laws and usages, and, when its first paroxysm of rage is over, sinks down passively under any form of polity which may spring out of the chaos. A chief of a party, as at Florence, becomes imperceptibly a sovereign and the founder of a dynasty. A captain of mercenaries, as at Milan, seizes on a city, and by the sword makes himself its ruler. An elective senate, as at Venice, usurps permanent and hereditary power. It is in events such as these that governments have generally originated; and we can see nothing in such events to warrant us in believing that the governments thus called into existence will be peculiarly well fitted to distinguish between religious truth and heresy.

When, again, we look at the constitutions of governments which have become settled, we find no great security for the orthodoxy of rulers. One magistrate holds power because his name was drawn out of a purse; another, because his father held it before him. There are representative systems of all sorts,—large constituent bodies, small constituent bodies, universal suffrage, high pecuniary qualifications. We see that, for the temporal ends of government, some of these constitutions are very skilfully constructed, and that the very worst of them is preferable to anarchy. But it passes our understanding to comprehend what connexion any one of them has with theological truth.

And how stands the fact? Have not almost all the governments in the world always been in the wrong on religious subjects? Mr Gladstone, we imagine, would say, that, except in the time of Constantine, of Jovian, and of a very few of their successors, and occasionally in England since the Reformation, no government has ever been sincerely friendly to the pure and apostolical Church of Christ. If, therefore, it be true that every ruler is bound in conscience to use his power for the propagation of his own religion, it will follow that, for one ruler who has been bound in conscience to use his power for the propagation of truth, a thousand have been bound in conscience to use their power for the propagation of falsehood. Surely this is a conclusion from which common sense recoils. Surely, if experience shows that a certain machine, when used to produce a certain effect, does not produce that effect once in a thousand times, but produces, in the vast majority of cases, an effect directly contrary, we cannot be wrong in saying, that it is not a machine of which the principal end is to be so used.

∴ If, indeed, the magistrate would content himself with laying his opinions and reasons before the people, and would leave the people, uncorrupted by hope or fear, to judge for themselves, we should see little reason to apprehend that his interference in favour of error would be seriously prejudicial to the interests of truth. Nor do we, as will hereafter be seen, object to his taking this course, when it is compatible with the efficient discharge of his more especial duties. But this will not satisfy Mr Gladstone. He would have the magistrate resort to means which have a great tendency to make malcontents, to make hypocrites, to make careless nominal conformists, but no tendency whatever to produce honest and rational conviction. It seems to us quite clear that an enquirer who has no wish, except to know the truth, is more likely to arrive at the truth than an enquirer who knows that, if he decides one way, he shall be rewarded, and that, if he decides the other way, he shall be punished. Now, Mr Gladstone would have governments propagate their opinions by excluding all dissenters from all civil offices. That is to say, he would have governments propagate their opinions by a process which has no reference whatever to the truth or falsehood of those opinions, by arbitrarily uniting certain worldly advantages with one set of doctrines, and certain worldly inconveniences with another set. It is of the very nature of argument to serve the interest of truth; but if rewards and punishments serve the interest of truth, it is by mere accident. It is very much easier to find arguments for the Divine authority of the Gospel than for the Divine authority of the Koran. But it is just as easy to bribe or rack a Jew into Mahometanism as into Christianity.

From racks, indeed, and from all penalties directed against the persons, the property, and the liberty of heretics, the humane spirit of Mr Gladstone shrinks with horror. He only maintains that conformity to the religion of the state ought to be an indispensable qualification for Office; and he would think it his duty, if he had the power, to revive the Test Act, to enforce it rigorously, and to extend it to important classes who were formerly exempt from its operation.

This is indeed a legitimate consequence of his principles. But why stop here? Why not roast dissenters at slow fires? All the general reasonings on which this theory rests evidently lead to sanguinary persecution. If the propagation of religious truth be a principal end of government, as government; if it be the duty of a government to employ for that end its constitutional power; if the constitutional power of governments extends, as it most unquestionably does, to the making of laws for the burning of heretics; if burning be, as it most assuredly is, in many

cases, a most effectual mode of suppressing opinions—why should we not burn? If the relation in which government ought to stand to the people be, as Mr Gladstone tells us, a *paternal* relation, we are irresistibly led to the conclusion that persecution is justifiable. For the right of propagating opinions by punishment is one which belongs to parents as clearly as the right to give instruction. A boy is compelled to attend family worship: he is forbidden to read irreligious books: if he will not learn his catechism, he is sent to bed without his supper: if he plays truant at church-time, a task is set him. If he should display the precocity of his talents by expressing impious opinions before his brothers and sisters, we should not much blame his father for cutting short the controversy with a horsewhip. All the reasons which lead us to think that parents are peculiarly fitted to conduct the education of their children, and that education is a principal end of the parental relation, lead us also to think, that parents ought to be allowed to use punishment, if necessary, for the purpose of forcing children, who are incapable of judging for themselves, to receive religious instruction and to attend religious worship. Why, then, is this prerogative of punishment, so eminently paternal, to be withheld from a paternal government? It seems to us, also, to be the height of absurdity to employ civil disabilities for the propagation of an opinion, and then to shrink from employing other punishments for the same purpose. For nothing can be clearer than that, if you punish at all, you ought to punish enough. The pain caused by punishment is pure unmixed evil, and never ought to be inflicted, except for the sake of some good. It is mere foolish cruelty to provide penalties which torment the criminal without preventing the crime. Now it is possible, by sanguinary persecution unrelentingly inflicted, to suppress opinions. In this way the Albigenes were put down. In this way the Lollards were put down. In this way the fair promise of the Reformation was blighted in Italy and Spain. But we may safely defy Mr Gladstone to point out a single instance in which the system which he recommends has succeeded.

And why should he be so tender-hearted? What reason can he give for hanging a murderer, and suffering a heresiarch to escape without even a pecuniary mulct? Is the heresiarch a less pernicious member of society than the murderer? Is not the loss of one soul a greater evil than the extinction of many lives? And the number of murders committed by the most profligate bravo that ever let out his poniard to hire in Italy, or by the most savage buccaneer that ever prowled on the Windward Station, is small indeed, when compared with the number of souls



which have been caught in the snares of one dexterous heresiarch. If, then, the heresiarch causes infinitely greater evils than the murderer, why is he not as proper an object of penal legislation as the murderer? We can give a reason,—a reason, short, simple, decisive, and consistent. We do not extenuate the evil which the heresiarch produces; but we say that it is not evil of that sort against which it is the end of government to guard. But how Mr Gladstone, who considers the evil which the heresiarch produces as evil of the sort against which it is the end of government to guard, can escape from the obvious consequence of his doctrine, we do not understand. The world is full of parallel cases. An orange-woman stops up the pavement with her wheel barrow, and a policeman takes her into custody. A miser who has amassed a million, suffers an old friend and benefactor to die in a work-house, and cannot be questioned before any tribunal for his baseness and ingratitude. Is this because legislators think the orange-woman's conduct worse than the miser's? Not at all. It is because the stopping up of the pathway is one of the evils against which it is the business of the public authorities to protect society, and heartlessness is not one of those evils. It would be the height of folly to say, that the miser ought, indeed, to be punished, but that he ought to be punished less severely than the orange-woman.

The heretical Constantius persecutes Athanasius; and why not? Shall Cæsar execute the robber who has taken one purse, and spare the wretch who has taught millions to rob the Creator of his honour, and to bestow it on the creature? The orthodox Theodosius persecutes the Arians, and with equal reason. Shall an insult offered to the Cæsarean majesty be expiated by death, and shall there be no penalty for him who degrades to the rank of a creature the Almighty, the infinite Creator? We have a short answer for both: 'To Cæsar the things which are Cæsar's. Cæsar is appointed for the punishment of robbers and rebels. He is not appointed for the purpose of either propagating or exterminating the doctrine of the consubstantiality of the Father and the Son.' 'Not so,' says Mr Gladstone. 'Cæsar is bound in conscience to propagate whatever he thinks to be the truth as to this question. Constantius is bound to establish the Arian worship throughout the empire, and to displace the bravest captains of his legions, and the ablest ministers of his treasury, if they hold the Nicene faith. Theodosius is equally bound to turn out every public servant whom his Arian predecessors have put in. But if Constantius lays on Athanasius a fine of a single *aureus*, if Theodosius imprisons an Arian presbyter for a week, this is most unjustifiable oppres-

'sion.' Our readers will be curious to know how this distinction is made out.

The reasons which Mr Gladstone gives against persecution affecting life, limb, and property, may be divided into two classes; first, reasons which can be called reasons only by extreme courtesy, and which nothing but the most deplorable necessity would ever have induced a man of his abilities to use; and, secondly, reasons which are really reasons, and which have so much force, that they not only completely prove his exception, but completely upset his general rule. His artillery on this occasion is composed of two sorts of pieces,—pieces which will not go off at all, and pieces which go off with a vengeance, and recoil with most crushing effect upon himself.

'We, as fallible creatures,' says Mr Gladstone, 'have no right, from any bare speculations of our own, to administer pains and penalties to our fellow-creatures, whether on social or religious grounds. We have the right to enforce the laws of the land by such pains and penalties, because it is expressly given by Him who has declared that the civil rulers are to bear the sword for the punishment of evil-doers, and for the encouragement of them that do well. And so, in things spiritual, had it pleased God to give to the Church or the State this power, to be permanently exercised over their members, or mankind at large, we should have the right to use it; but it does not appear to have been so received, and, consequently, it should not be exercised.'

We should be sorry to think that the security of our lives and property from persecution rested on no better ground than this. Is not a teacher of heresy an evil-doer? Has not heresy been condemned in many countries, and in our own among them, by the laws of the land, which, as Mr Gladstone says, it is justifiable to enforce by penal sanctions? If a heretic is not specially mentioned in the text to which Mr Gladstone refers, neither is an assassin, a kidnapper, or a highwayman. And if the silence of the New Testament as to all interference of governments to stop the progress of heresy be a reason for not fining or imprisoning heretics, it is surely just as good a reason for not excluding them from office.

'God,' says Mr Gladstone, 'has seen fit to authorize the employment of force in the one case and not in the other; for it was with regard to chastisement inflicted by the sword for an insult offered to himself, that the Redeemer declared his kingdom not to be of this world;—meaning, apparently in an especial manner, that it should be otherwise than after this world's fashion, in respect to the sanctions by which its laws should be maintained.'

Now here, Mr Gladstone, quoting from memory, has fallen into an error. The very remarkable words which he cites, do

not appear to have had any reference to the wound inflicted by Peter on Malchus. They were addressed to Pilate, in answer to the question, "Art thou the King of the Jews?" We cannot help saying, that we are surprised that Mr Gladstone should not have more accurately verified a quotation on which, according to him, principally depends the right of a hundred millions of his fellow-subjects, idolaters and dissenters, to their property, their liberty, and their lives.

Mr Gladstone's interpretations of Scripture are lamentably destitute of one recommendation, which he considers as of the highest value:—they are by no means in accordance with the general precepts or practice of the Church, from the time when the Christians became strong enough to persecute down to a very recent period. A dogma favourable to toleration is certainly not a dogma '*quod semper, quod ubique, quod omnibus.*' Bossuet was able to say, we fear, with too much truth, that on one point all Christians had long been unanimous,—the right of the civil magistrate to propagate truth by the sword; that even heretics had been orthodox as to this right, and that the Anabaptists and Socinians were the first who called it in question. We will not pretend to say what is the best explanation of the text under consideration; but we are sure that Mr Gladstone's is the worst. According to him, government ought to exclude dissenters from office, but not to fine them, because Christ's kingdom is not of this world. We do not see why the line may not be drawn at a hundred other places as well as at that which he has chosen. We do not see why Lord Clarendon, in recommending the act of 1664 against conventicles, might not have said, 'It hath been thought by some that this *'classis* of men might with advantage be not only imprisoned, but pilloried. But methinks, my Lords, we are inhibited from the punishment of the pillory by that Scripture, "My kingdom is not of this world."' Archbishop Laud, when he sat on Burton in the Star-Chamber, might have said, 'I pronounce for the pillory; and, indeed, I could wish that all such wretches were delivered to the fire, but that our Lord hath said that his kingdom is not of this world.' And Gardiner might have written to the Sheriff of Oxfordshire, 'See that execution be done without fail on Master Ridley and Master Latimer, as you will answer the same to the Queen's grace at your peril. But if they shall desire to have some gunpowder for the shortening of their torment, I see not but you may grant it, as it is written, *Regnum meum non est de hoc mundo*; that is to say, My kingdom is not of this world.'

But Mr Gladstone has other arguments against persecution,—arguments which are of so much weight, that they are decisive

not only against persecution, but against his whole theory. 'The government,' he says, 'is incompetent to exercise minute and constant supervision over religious opinion.' And hence he infers, that 'a government exceeds its province when it comes to adapt a scale of punishments to variations in religious opinion, according to their respective degrees of variation from the established creed. To decline affording countenance to sects is a single and simple rule. To punish their professors, according to their several errors, even were there no other objection, is one for which the state must assume functions wholly ecclesiastical, and for which it is not intrinsically fitted.'

This is, in our opinion, quite true, but how does it agree with Mr Gladstone's theory? What! The government incompetent to exercise even such a degree of supervision over religious opinion as is implied by the punishment of the most deadly heresy! The government incompetent to measure even the grossest deviations from the standard of truth! The government not intrinsically qualified to judge of the comparative enormity of any theological errors! The government so ignorant on these subjects, that it is compelled to leave, not merely subtle heresies,—discernible only by the eye of a Cyril or a Bucer,—but Socinianism, Deism, Mahometanism, Idolatry, Atheism, unpunished! To whom does Mr Gladstone assign the office of selecting a religion for the state, from among hundreds of religions, every one of which lays claim to truth? Even to this same government, which he now pronounces to be so unfit for theological investigations, that it cannot venture to condemn a man for worshipping a lump of stone with a score of heads and hands! We do not remember ever to have fallen in with a more extraordinary instance of inconsistency. When Mr Gladstone wishes to prove that the government ought to establish and endow a religion, and to fence it with a test act,—government is *τὸ πᾶν*, in the moral world. Those who would confine it to secular ends take a low view of its nature. A religion must be attached to its agency; and this religion must be that of the conscience of the governor, or none. It is for him to decide between Papists and Protestants, Jansenists and Molinists, Arminians and Calvinists, Episcopalians and Presbyterians, Sabelians and Tritheists, Homocousians and Homoiousians, Nestorians and Eutychians, Monothelites and Monophysites, Pædobaptists and Anabaptists. It is for him to rejudge the Acts of Nice and Rimini, of Ephesus and Chalcedon, of Constantinople and St John Lateran, of Trent and Dort. It is for him to arbitrate between the Greek and the Latin procession, and to determine whether that mysterious *filioque* shall or shall not have a place in

the national creed. When he has made up his mind, he is to tax the whole community, in order to pay people to teach his opinion, whatever it may be. He is to rely on his own judgment, though it may be opposed to that of nine-tenths of the society. He is to act on his own judgment, at the risk of exciting the most formidable discontents. He is to inflict, perhaps on a great majority of the population, what, whether Mr Gladstone may choose to call it persecution or not, will always be felt as persecution by those who suffer it. He is, on account of differences often too slight for vulgar comprehension, to deprive the state of the services of the ablest men. He is to debase and enfeeble the community which he governs, from an empire into a sect. In our own country, for example, millions of Catholics, millions of Protestant Dissenters, are to be excluded from all power and honours. A great hostile fleet is on the sea; but Nelson is not to command in the Channel if in the mystery of the Trinity he confounds the persons! An invading army has landed in Kent; but the Duke of Wellington is not to be at the head of our forces if he divides the substance! And, after all this, Mr Gladstone tells us, that it would be wrong to imprison a Jew, a Mussulman, or a Buddhist, for a day; because really a government cannot understand these matters, and ought not to meddle with questions which belong to the Church. A singular theologian, indeed, this government!—so learned that it is competent to exclude Grotius from office for being a Semi-Pelagian,—so unlearned that it is incompetent to fine a Hindoo peasant a rupee for going on a pilgrimage to Juggernaut!

‘To solicit and persuade one another,’ says Mr Gladstone, ‘are privileges which belong to us all; and the wiser and better man is bound to advise the less wise and good; but he is not only not bound, he is not allowed, speaking generally, to coerce him. It is untrue, then, that the same considerations which bind a government to submit a religion to the free choice of the people, would therefore justify their enforcing its adoption.’

Granted. But it is true that all the same considerations which would justify a government in propagating a religion by means of civil disabilities, would justify the propagating of that religion by penal laws. To solicit! Is it solicitation to tell a Catholic Duke, that he must abjure his religion or walk out of the House of Lords? To persuade! Is it persuasion to tell a barrister of distinguished eloquence and learning, that he shall grow old in his stuff gown, while his pupils are seated above him in ermine, because he cannot digest the damnable clauses of the Athanasian creed? Would Mr Gladstone think, that a religious system which he considers as false—Socinianism for example—was sub-

mitted to his free choice, if it were submitted in these terms. 'If you obstinately adhere to the faith of the Nicene fathers, you shall not be burned in Smithfield—you shall not be sent to Dorchester gaol—you shall not even pay double land-tax. But you shall be shut out from all situations in which you might exercise your talents with honour to yourself and advantage to the country. The House of Commons, the bench of magistracy, are not for such as you. You shall see younger men, your inferiors in station and talents, rise to the highest dignities and attract the gaze of nations, while you are doomed to neglect and obscurity. If you have a son of the highest promise—a son such as other fathers would contemplate with delight—the development of his fine talents and of his generous ambition shall be a torture to you. You shall look on him as a being doomed to lead, as you have led, the abject life of a Roman, or a Neapolitan, in the midst of the great English people. All those high honours, so much more precious than the most costly gifts of despots, with which a free country decorates its illustrious citizens, shall be to him, as they have been to you, objects not of hope and virtuous emulation, but of hopeless, envious pining. Educate him, if you wish him to feel his degradation. Educate him, if you wish to stimulate his craving for what he never must enjoy. Educate him, if you would imitate the barbarity of that petty Celtic tyrant who fed his prisoners on salted food till they called eagerly for drink, and then let down an empty cup into the dungeon and left them to die of thirst.' Is this to solicit, to persuade, to submit religion to the free choice of man? Would a fine of a thousand pounds—would imprisonment in Newgate for six months, under circumstances not disgraceful—give Mr Gladstone the pain which he would feel, if he were to be told that he was to be dealt with in the way in which he would himself deal with more than one-half of his countrymen?

We are not at all surprised to find such inconsistency even in a man of Mr Gladstone's talents. The truth is, that every man is, to a great extent, the creature of the age. It is to no purpose that he resists the influence which the vast mass, in which he is but an atom, must exercise on him. He may try to be a man of the tenth century: but he cannot. Whether he will or no, he must be a man of the nineteenth century. He shares in the motion of the moral as well as in that of the physical world. He can no more be as intolerant as he would have been in the days of the Tudors, than he can stand in the evening exactly where he stood in the morning. The globe goes round from west to east; and he must go round with it. When he says that he is where he was, he means only that he has moved at the same rate

with all around him. When he says he has gone a good way to the westward, he means only that he has not gone to the eastward quite so rapidly as his neighbours. Mr Gladstone's book is, in this respect, a very gratifying performance. It is the measure of what a man can do to be left behind by the world. It is the strenuous effort of a very vigorous mind to keep as far in the rear of the general progress as possible. And yet, with the most intense exertion, Mr Gladstone cannot help being, on some important points, greatly in advance of Locke himself: and with whatever admiration he may regard Laud, it is well for him; we can tell him, that he did not write in the days of that zealous primate, who would certainly have refuted the expositions of Scripture which we have quoted by one of the keenest arguments that can be addressed to human ears.

This is not the only instance in which Mr Gladstone has shrunk in a very remarkable manner from the consequences of his own theory. If there be in the whole world a state to which this theory is applicable, that state is the British Empire in India. Even we, who detest paternal governments in general, shall admit that the duties of the governments of India are, to a considerable extent, paternal. There, the superiority of the governors to the governed in moral science is unquestionable. The conversion of the whole people to the worst form that Christianity ever wore in the darkest ages would be a most happy event. It is not necessary that a man should be a Christian to wish for the propagation of Christianity in India. It is sufficient that he should be an European not much below the ordinary European level of good sense and humanity. Compared with the importance of the interests at stake, all those Scotch and Irish questions which occupy so large a portion of Mr Gladstone's book sink into insignificance. In no part of the world, since the days of Theodosius, has so large a heathen population been subject to a Christian government. In no part of the world is heathenism more cruel, more licentious, more fruitful of absurd rites and pernicious laws. Surely, if it be the duty of government to use its power and its revenue in order to bring seven millions of Irish Catholics over to the Protestant Church, it is *a fortiori* the duty of the government to use its power and its revenue in order to make seventy millions of idolaters Christians. If it be a sin to suffer John Howard or William Penn to hold any office in England, because they are not in communion with the Established Church, surely it must be a crying sin indeed to admit to high situations men who bow down, in temples covered with emblems of vice, to the hideous images of sensual or malevolent gods.

But no. Orthodoxy, it seems, is more shocked by the priests of Rome than by the priests of Kalee. The plain red-brick building—Adullam's Cave, or Ebenezer Chapel—where uneducated men hear a half-educated man talk of the Christian law of love, and the Christian hope of glory, is unworthy of the indulgence which is reserved for the shrine where the Thug suspends a portion of the spoils of murdered travellers; and for the car which grinds its way through the bones of self-immolated pilgrims. 'It would be,' says Mr Gladstone, 'an absurd exaggeration to maintain it as the part of such a government as that of the British in India to bring home to the door of every subject at once the ministrations of a new and totally unknown religion.' The government ought indeed to desire to propagate Christianity. But the extent to which they must do so must be 'limited by the degree in which the people are found willing to receive it.' He proposes no such limitation in the case of Ireland. He would give the Irish a Protestant Church whether they like it or not. 'We believe,' says he, 'that that which we place before them is, whether they know it or not, calculated to be beneficial to them; and that, if they know it not now, they will know it when it is presented to them fairly. Shall we, then, purchase their applause at the expense of their substantial, nay, their spiritual interests?'

And why does Mr Gladstone allow to the Hindoo a privilege which he denies to the Irishman? Why does he reserve his greatest liberality for the most monstrous errors? Why does he pay most respect to the opinion of the least enlightened people? Why does he withhold the right to exercise paternal authority from that one government which is fitter to exercise paternal authority than any government that ever existed in the world? We will give the reason in his own words.

'In British India,' he says, 'a small number of persons advanced to a higher grade of civilisation, exercise the powers of government over an immensely greater number of less cultivated persons, not by coercion, but under free stipulation with the governed. Now, the rights of a government, in circumstances thus peculiar, obviously depend neither upon the unrestricted theory of paternal principles, nor upon any primordial or fictitious contract of indefinite powers, but upon an express and known treaty, matter of positive agreement, not of natural ordinance.'

Where Mr Gladstone has seen this treaty we cannot guess; for, though he calls it a 'known treaty,' we will stake our credit that it is quite unknown both at Calcutta and Madras, both in Leadenhall Street and Cannon Row—that it is not to be found in any of the enormous folios of papers relating to India which fill the book-cases of members of Parliament—that it has utterly escaped the researches of all the historians of our Eastern em-



pire—that, in the long and interesting debates of 1813 on the admission of missionaries to India, debates of which the most valuable part has been excellently preserved by the care of the speakers, no allusion to this important instrument is to be found. The truth is that this treaty is a nonentity. It is by coercion, it is by the sword, and not by free stipulation with the governed, that England rules India; nor is England bound by any contract whatever not to deal with Bengal as she deals with Ireland. She may set up a Bishop of Patna, and a Dean of Hoogley—she may grant away the public revenue for the maintenance of prebendaries of Benares and canons of Moorshedabad—she may divide the country into parishes, and place a rector with a stipend in every one of them, without infringing any positive agreement. If there be such a treaty, Mr Gladstone can have no difficulty in making known its date, its terms, and, above all, the precise extent of the territory within which we have sinfully bound ourselves to be guilty of practical atheism. The last point is of great importance. For, as the provinces of our Indian empire were acquired at different times, and in very different ways, no single treaty, indeed no ten treaties, will justify the system pursued by our government there.

The plain state of the case is this: No man in his senses would dream of applying Mr Gladstone's theory to India, because, if so applied, it would inevitably destroy our empire, and, with our empire, the best chance of spreading Christianity among the natives. This Mr Gladstone felt. In some way or other his theory was to be saved, and the monstrous consequences avoided. Of intentional misrepresentation we are quite sure that he is incapable. But we cannot acquit him of that unconscious disingenuousness from which the most upright man, when strongly attached to an opinion, is seldom wholly free. We believe that he recoiled from the ruinous consequences which his system would produce, if tried in India; but that he did not like to say so, lest he should lay himself open to the charge of sacrificing principle to expediency; a word which is held in the utmost abhorrence by all his school. Accordingly, he caught at the notion of a treaty—a notion which must, we think, have originated in some rhetorical expression which he has imperfectly understood. There is one excellent way of avoiding the drawing of a false conclusion from a false *major*; and that is by having a false *minor*. Inaccurate history is an admirable corrective of unreasonable theory. And thus it is in the present case. A bad general rule is laid down, and obstinately maintained, wherever the consequences are not too monstrous for human bigotry. But when they become so horrible, that even Christ Church shrinks,—that even Oriel stands aghast,—the rule is evaded by means of a fictitious con-

tract. One imaginary obligation is set up against another. Mr Gladstone first preaches to governments the duty of undertaking an enterprise just as rational as the Crusades,—and then dispenses them from it on the ground of a treaty which is just as authentic as the donation of Constantine to Pope Sylvester. His system resembles nothing so much as a forged bond with a forged release indorsed on the back of it.

With more show of reason he rests the claims of the Scotch Church on a contract. He considers that contract, however, as most unjustifiable; and speaks of the setting up of the Kirk as a disgraceful blot on the reign of William the Third. Surely it would be amusing, if it were not melancholy, to see a man of virtue and abilities unsatisfied with the calamities which one Church, constituted on false principles, has brought upon the empire, and repining that Scotland is not in the same state with Ireland—that no Scottish agitator is raising rent and putting county members in and out—that no Presbyterian association is dividing supreme power with the government—that no meetings of precursors and repealers are covering the side of the Calton Hill—that twenty-five thousand troops are not required to maintain order on the north of the Tweed—that the anniversary of the Battle of Bothwell Bridge is not regularly celebrated by insult, riot, and murder. We could hardly find a stronger argument against Mr Gladstone's system than that which Scotland furnishes. The policy which has been followed in that country has been directly opposed to the policy which he recommends. And the consequence is that Scotland, having been one of the rudest, one of the poorest, one of the most turbulent countries in Europe, has become one of the most highly civilized, one of the most flourishing, one of the most tranquil. The atrocities which were of common occurrence, while an unpopular church was dominant, are unknown. In spite of a mutual aversion as bitter as ever separated one people from another, the two kingdoms which compose our island have been indissolubly joined together. Of the ancient national feeling there remains just enough to be ornamental and useful; just enough to inspire the poet, and to kindle a generous and friendly emulation in the bosom of the soldier. But for all the ends of government the nations are one. And why are they so? The answer is simple. The nations are one for all the ends of government, because in their union the true ends of government alone were kept in sight. The nations are one, because the Churches are two.

Such is the union of England with Scotland, a union which resembles the union of the limbs of one healthful and vigorous body, all moved by one will, all co-operating for common ends. The system of Mr Gladstone would have produced a union

which can be compared only to that which is the subject of a wild Persian fable. King Zohak—we tell the story as Mr Southey tells it to us—gave the devil leave to kiss his shoulders. Instantly two serpents sprang out who, in the fury of hunger, attacked his head, and attempted to get at his brain. Zohak pulled them away, and tore them with his nails. But he found that they were inseparable parts of himself, and that what he was lacerating was his own flesh. Perhaps we might be able to find, if we looked round the world, some political union like this—some hideous monster of a state, cursed with one principle of sensation, and two principles of volition,—self-loathing, and self-torturing—made up of parts which are driven by a frantic impulse to inflict mutual pain, yet are doomed to feel whatever they inflict, which are divided by an irreconcilable hatred, yet are blended in an indissoluble identity. Mr Gladstone, from his tender concern for Zohak, is unsatisfied because the devil has as yet kissed only one shoulder,—because there is not a snake mangling and mangled on the left to keep in countenance his brother on the right.

But we must proceed in our examination of his theory. Having, as he conceives, proved that it is the duty of every government to profess some religion or other, right or wrong, and to establish that religion, he then comes to the question what religion a government ought to prefer, and he decides this question in favour of the form of Christianity established in England. The Church of England is, according to him, the pure Catholic Church of Christ, which possesses the apostolical succession of ministers, and within whose pale is to be found that unity which is essential to truth. For her decisions he claims a degree of reverence far beyond what she has ever, in any of her formularies, claimed for herself; far beyond what the moderate school of Bossuet demands for the Pope, and scarcely short of what the most bigoted Catholic would ascribe to Pope and General Council together. To separate from her communion is schism. To reject her traditions or interpretations of Scripture is sinful presumption.

Mr Gladstone pronounces the right of private judgment, as it is generally understood throughout Protestant Europe, to be a monstrous abuse. He declares himself favourable, indeed, to the exercise of private judgment after a fashion of his own. We have, according to him, a right to judge all the doctrines of the Church of England to be sound, but not to judge any of them to be unsound. He has no objection, he assures us, to active enquiry into religious questions; on the contrary, he thinks it highly desirable, as long as it does not lead to diversity of opinion;—which is much as if he were to recommend the use of fire that will not burn down houses, or of brandy that will not make

men drunk. He conceives it to be perfectly possible for mankind to exercise their intellects vigorously and freely on theological subjects, and yet to come to exactly the same conclusions with each other, and with the Church of England. And for this opinion he gives, as far as we have been able to discover, no reason whatever, except that every body who vigorously and freely exercises his understanding on Euclid's Theorems assents to them. 'The activity of private judgment,' he truly observes, 'and the unity and strength of conviction in mathematics vary directly as each other.' On this unquestionable fact he constructs a somewhat questionable argument. Every body who freely enquires agrees, he says, with Euclid. But the Church is as much in the right as Euclid. Why, then, should not every free enquirer agree with the Church? We could put many similar questions. Either the affirmative or the negative of the proposition that King Charles wrote the *Icon Basilike*, is as true as that two sides of a triangle are greater than the third side. Why, then, do Dr Wordsworth and Mr Hallam agree in thinking two sides of a triangle greater than the third side, and yet differ about the genuineness of the *Icon Basilike*? The state of the exact sciences proves, says Mr Gladstone, that, as respects religion, 'the association of these two ideas, 'activity of enquiry, and variety of conclusion, is a fallacious one.' We might just as well turn the argument the other way, and infer from the variety of religious opinions that there must necessarily be hostile mathematical sects; some affirming, and some denying that the square of the hypotenuse is equal to the squares of the sides. But we do not think either the one analogy or the other of the smallest value. Our way of ascertaining the tendency of free enquiry is simply to open our eyes and look at the world in which we live; and there we see that free enquiry on mathematical subjects produces unity, and that free enquiry on moral subjects produces discrepancy. There would undoubtedly be less discrepancy if enquirers were more diligent and candid. But discrepancy there will be among the most diligent and candid, as long as the constitution of the human mind, and the nature of moral evidence, continue unchanged. That we have not freedom and unity together is a very sad thing; and so it is that we have not wings. But we are just as likely to see the one defect removed as the other. It is not only in religion that this discrepancy is found. It is the same with all matters which depend on moral evidence—with judicial questions, for example, and with political questions. All the judges may work a sum in the rule of three on the same principle, and bring out the same conclusion. But it does not follow that, however honest and laborious they may be, they will be of one mind on the Douglas

case. So it is vain to hope that there may be a free constitution under which every representative will be unanimously elected, and every law unanimously passed; and it would be ridiculous for a statesman to stand wondering and bemoaning himself, because people who agree in thinking that two and two make four, cannot agree about the new poor law, or the administration of Canada.

There are two intelligible and consistent courses which may be followed with respect to the exercise of private judgment;—that of the Romanist, who interdicts it because of its inevitable inconveniences; and that of the Protestant, who permits it in spite of its inevitable inconveniences. Both are more reasonable than Mr Gladstone, who would have free private judgment without its inevitable inconveniences. The Romanist produces repose by means of stupefaction. The Protestant encourages activity, though he knows that, where there is much activity, there will be some aberration. Mr Gladstone wishes for the unity of the fifteenth century with the active and searching spirit of the sixteenth. He might as well wish to be in two places at once.

When Mr Gladstone says that we ‘actually require discrepancy of opinion—require and demand error, falsehood, blindness, and plume ourselves on such discrepancy as attesting a freedom which is only valuable when used for unity in the truth,’ he expresses himself with more energy than precision. Nobody loves discrepancy for the sake of discrepancy. But a person who conscientiously believes that free enquiry is, on the whole, beneficial to the interests of truth,—and that, from the imperfection of the human faculties, wherever there is much free enquiry there will be some discrepancy,—may, without impropriety, consider such discrepancy, though in itself an evil, as a sign of good. That there are fifty thousand thieves in London is a very melancholy fact. But, looked at in one point of view, it is a reason for exultation. For what other city could maintain fifty thousand thieves? What must be the mass of wealth, where the fragments gleaned by lawless pilfering rise to so large an amount? St Kilda would not support a single pickpocket. The quantity of theft is, to a certain extent, an index of the quantity of useful industry and judicious speculation. And just as we may, from the great number of rogues in a town, infer that much honest gain is made there; so may we often, from the quantity of error in a community, draw a cheering inference as to the degree in which the public mind is turned to those enquiries which alone can lead to rational convictions of truth.

Mr Gladstone seems to imagine that most Protestants think it possible for the same doctrine to be at once true and false; or that they think it immaterial whether, on a religious ques-

tion, a man comes to a true or a false conclusion. If there be any Protestants who hold notions so absurd, we abandon them to his censure.

The Protestant doctrine touching the right of private judgment—that doctrine, which is the common foundation of the Anglican, the Lutheran, and the Calvinistic Churches—that doctrine by which every sect of dissenters vindicates its separation—we conceive not to be this, that opposite opinions may both be true; nor this, that truth and falsehood are both equally good; nor yet this, that all speculative error is necessarily innocent:—but this, that there is on the face of the earth no visible body to whose decrees men are bound to submit their private judgment on points of faith.

Is there always such a visible body? Was there such a visible body in the year 1500? If not, why are we to believe that there is such a body in the year 1839? If there was such a body in 1500, what was it? Was it the Church of Rome? And how can the Church of England be orthodox now, if the Church of Rome was orthodox then?

‘In England,’ says Mr Gladstone, ‘the case was widely different from that of the Continent. Her reformation did not destroy, but successfully maintained, the unity and succession of the Church in her apostolical ministry. We have, therefore, still among us the ordained hereditary witnesses of the truth, conveying it to us through an unbroken series from our Lord Jesus Christ and his apostles. This is to us the ordinary voice of authority; of authority equally reasonable and equally true, whether we will hear, or whether we will forbear.’

Mr Gladstone’s reasoning is not so clear as might be desired. We have among us, he says, ordained hereditary witnesses of the truth, and their voice is to us the voice of authority. Undoubtedly, if they are witnesses of the truth, their voice is the voice of authority. But this is little more than saying that the truth is the truth. Nor is truth more true because it comes in an unbroken series from the apostles. The Nicene faith is not more true in the mouth of the Archbishop of Canterbury, than in that of a Moderator of the General Assembly. If our respect for the authority of the Church is to be only consequent upon our conviction of the truth of her doctrines, we come at once to that monstrous abuse,—the Protestant exercise of private judgment. But if Mr Gladstone means that we ought to believe that the Church of England speaks the truth, because she has the apostolical succession, we greatly doubt whether such a doctrine can be maintained. In the first place, what proof have we of the fact? We have, indeed, heard it said that Providence would certainly have interfered to preserve the

apostolical succession in the true Church. But this is an argument fitted for understandings of a different kind from Mr Gladstone's. He will hardly tell us that the Church of England is the true Church because she has the succession; and that she has the succession because she is the true Church.

What evidence, then, have we for the fact of the apostolical succession? And here we may easily defend the truth against Oxford with the same arguments with which, in old times, the truth was defended by Oxford against Rome. In this stage of our combat with Mr Gladstone, we need few weapons except those which we find in the well-furnished and well-ordered armoury of Chillingworth.

The transmission of orders from the Apostles to an English clergyman of the present day, must have been through a very great number of intermediate persons. Now, it is probable that no clergyman in the Church of England can trace up his spiritual genealogy from bishop to bishop, even so far back as the time of the Reformation. There remain fifteen or sixteen hundred years during which the history of the transmission of his orders is buried in utter darkness. And whether he be a priest by succession from the Apostles, depends on the question, whether, during that long period, some thousands of events took place, any one of which may, without any gross improbability, be supposed not to have taken place. We have not a tittle of evidence to any one of these events. We do not even know the names or countries of the men to whom it is taken for granted that these events happened. We do not know whether the spiritual ancestors of any one of our contemporaries were Spanish or Armenian, Arian or Orthodox. In the utter absence of all particular evidence, we are surely entitled to require that there should be very strong evidence indeed, that the strictest regularity was observed in every generation; and that episcopal functions were exercised by none who were not bishops by succession from the Apostles. But we have no such evidence. In the first place, we have not full and accurate information touching the polity of the Church during the century which followed the persecution of Nero. That, during this period, the overseers of all the little Christian societies scattered through the Roman empire held their spiritual authority by virtue of holy orders derived from the Apostles, cannot be proved by contemporary testimony, or by any testimony which can be regarded as decisive. The question, whether the primitive ecclesiastical constitution bore a greater resemblance to the Anglican or to the Calvinistic model, has been fiercely disputed. It is a question on which men of eminent parts, learning, and piety, have differed, and do to this day differ very widely. It is a question on which

at least a full half of the ability and erudition of Protestant Europe has, ever since the Reformation, been opposed to the Anglican pretensions. Mr Gladstone himself, we are persuaded, would have the candour to allow that, if no evidence were admitted but that which is furnished by the genuine Christian literature of the first two centuries, judgment would not go in favour of prelacy. And if he looked at the subject as calmly as he would look at a controversy respecting the Roman *Comitia* or the Anglo-Saxon Wittenagemote, he would probably think that the absence of contemporary evidence during so long a period was a defect which later attestations, however numerous, could but very imperfectly supply. It is surely impolitic to rest the doctrines of the English Church on an historical theory, which, to ninety-nine Protestants out of a hundred, would seem much more questionable than any of those doctrines. Nor is this all. Extreme obscurity overhangs the history of the middle ages; and the facts which are discernible through that obscurity prove that the Church was exceedingly ill regulated. We read of sees of the highest dignity openly sold—transferred backwards and forwards by popular tumult—bestowed sometimes by a profligate woman on her paramour—sometimes by a warlike baron on a kinsman, still a stripling. We read of bishops of ten years old—of bishops of five years old—of many popes who were mere boys, and who rivalled the frantic dissoluteness of Caligula—nay, of a female pope. And though this last story, once believed throughout all Europe, has been disproved by the strict researches of modern criticism, the most discerning of those who reject it have admitted that it is not intrinsically improbable. In our own island, it was the complaint of Alfred that not a single priest, south of the Thames, and very few on the north, could read either Latin or English. And this illiterate clergy exercised their ministry amidst a rude and half heathen population, in which Danish pirates, unchristened, or christened by the hundred on a field of battle, were mingled with a Saxon peasantry scarcely better instructed in religion. The state of Ireland was still worse. ‘*Tota illa per universam ‘Hiberniam dissolutio ecclesiasticæ disciplinæ,—illa ubique pro ‘consuetudine Christiana sæva subintroducitur barbaries*’—are the expressions of St Bernard. We are, therefore, at a loss to conceive how any clergyman can feel confident that his orders have come down correctly. Whether he be really a successor of the Apostles, depends on an immense number of such contingencies as these,—whether, under King Ethelwolf, a stupid priest might not, while baptising several scores of Danish prisoners who had just made their option between the font and the gallows, inad-



vertently omit to perform the rite on one of these graceless proselytes?—whether, in the seventh century, an impostor, who had never received consecration, might not have passed himself off as a bishop on a rude tribe of Scots?—whether a lad of twelve did really, by a ceremony huddled over when he was too drunk to know what he was about, convey the episcopal character to a lad of ten?

Since the first century, not less, in all probability, than a hundred thousand persons have exercised the functions of bishops. That many of these have not been bishops by apostolical succession is quite certain. Hooker admits that deviations from the general rule have been frequent, and, with a boldness worthy of his high and statesman-like intellect, pronounces them to have been often justifiable. ‘There may be,’ says he, ‘sometimes very just and sufficient reason to allow ordination made without a bishop. Where the Church must needs have some ordained, and neither hath nor can have possibly a bishop to ordain, in case of such necessity the ordinary institution of God hath given oftentimes, and may give place. And therefore we are not simply without exception to urge a lineal descent of power from the Apostles by continued succession of bishops in every effectual ordination.’ There can be little doubt, we think, that the succession, if it ever existed, has often been interrupted in ways much less respectable. For example, let us suppose—and we are sure that no person will think the supposition by any means improbable—that, in the third century, a man of no principle and some parts, who has, in the course of a roving and discreditable life, been a catechumen at Antioch, and has there become familiar with Christian usages and doctrines, afterwards rambles to Marseilles, where he finds a Christian society, rich, liberal, and simple-hearted. He pretends to be a Christian, attracts notice by his abilities and affected zeal, and is raised to the episcopal dignity without having ever been baptized. That such an event might happen, nay, was very likely to happen, cannot well be disputed by any one who has read the *Life of Peregrinus*. The very virtues, indeed, which distinguished the early Christians, seem to have laid them open to those arts which deceived

‘Uriel, though Regent of the Sun, and held  
The sharpest-sighted spirit of all in Heaven.’

Now, this unbaptized impostor is evidently no successor of the Apostles. He is not even a Christian; and all orders derived through such a pretended bishop are altogether invalid. Do we know enough of the state of the world and of the Church

in the third century, to be able to say with confidence that there were not at that time twenty such pretended bishops? Every such case makes a break in the apostolical succession.

Now, suppose that a break, such as Hooker admits to have been both common and justifiable, or such as we have supposed to be produced by hypocrisy and cupidity, were found in the chain which connected the Apostles with any of the missionaries who first spread Christianity in the wilder parts of Europe—who can say how extensive the effect of this single break may be? Suppose that St Patrick, for example, if ever there was such a man, or Theodore of Tarsus, who is said to have consecrated in the seventh century the first bishops of many English sees, had not the true apostolical orders, is it not conceivable that such a circumstance may affect the orders of many clergymen now living? Even if it were possible, which it assuredly is not, to prove that the Church had the apostolical orders in the third century, it would be impossible to prove that those orders were not in the twelfth century so far lost that no ecclesiastic could be certain of the legitimate descent of his own spiritual character. And if this were so, no subsequent precautions could repair the evil.

Chillingworth states the conclusion at which he had arrived on this subject in these very remarkable words—‘That of ten thousand probabilities no one should be false; that of ten thousand requisites, whereof any one may fail, not one should be wanting, this to me is extremely improbable, and even cousin-german to impossible. So that the assurance hereof is like a machine composed of an innumerable multitude of pieces, of which it is strangely unlikely but some will be out of order; and yet, if any one be so, the whole fabric falls of necessity to the ground: and he that shall put them together, and maturely consider all the possible ways of lapsing and nullifying a priesthood in the Church of Rome, will be very inclinable to think that it is a hundred to one, that among a hundred seeming priests, there is not one true one; nay, that it is not a thing very improbable that, amongst those many millions which make up the Romish hierarchy, there are not twenty true.’ We do not pretend to know to what precise extent the canonists of Oxford agree with those of Rome as to the circumstances which nullify orders. We will not, therefore, go so far as Chillingworth. We only say that we see no satisfactory proof of the fact, that the Church of England possesses the apostolical succession. And, after all, if Mr Gladstone could prove the apostolical succession, what would the apostolical succession prove? He says that ‘we have among us the ordained hereditary witnesses of the truth, conveying it to us through an *unbroken* series from our Lord

‘Jesus Christ and his Apostles.’ Is this the fact? Is there any doubt that the orders of the Church of England are generally derived from the Church of Rome? Does not the Church of England declare, does not Mr Gladstone himself admit, that the Church of Rome teaches much error and condemns much truth? And is it not quite clear, that as far as the doctrines of the Church of England differ from those of the Church of Rome, so far the Church of England conveys the truth through a *broken* series?

That the Reformers, lay and clerical, of the Church of England, corrected all that required correction in the doctrines of the Church of Rome, and nothing more, may be quite true. But we never can admit the circumstance, that the Church of England possesses the apostolical succession as a proof that she is thus perfect. No stream can rise higher than its fountain. The succession of ministers in the Church of England, derived as it is through the Church of Rome, can never prove more for the Church of England than it proves for the Church of Rome. But this is not all. The Arian Churches which once predominated in the kingdoms of the Ostrogoths, the Visigoths, the Burgundians, the Vandals, and the Lombards, were all episcopal churches, and all had a fairer claim than that of England to the apostolical succession, as being much nearer to the apostolical times. In the East, the Greek Church, which is at variance on points of faith with all the Western Churches, has an equal claim to this succession. The Nestorian, the Eutychian, the Jacobite Churches; all heretical, all condemned by councils, of which even Protestant divines have generally spoken with respect, had an equal claim to the apostolical succession. Now if, of teachers having apostolical orders, a vast majority have taught much error—if a large proportion have taught deadly heresy—if, on the other hand, as Mr Gladstone himself admits, churches not having apostolical orders—that of Scotland for example—have been nearer to the standard of orthodoxy than the majority of teachers who have had apostolical orders—how can he possibly call upon us to submit our private judgment to the authority of a Church, on the ground that she has these orders?

Mr Gladstone dwells much on the importance of unity in doctrine. Unity, he tells us, is essential to truth. And this is most unquestionable. But when he goes on to tell us that this unity is the characteristic of the Church of England, that she is one in body and in spirit, we are compelled to differ from him widely. The apostolical succession she may or may not have. But unity she most certainly has not, and never has had. It is matter of perfect notoriety, that her formularies are framed in such a manner as to admit to her highest offices men who differ from each

other more widely than a very high Churchman differs from a Catholic; or a very low Churchman from a Presbyterian; and that the general leaning of the Church, with respect to some important questions, has been sometimes one way and sometimes another. Take, for example, the questions agitated between the Calvinists and the Arminians. Do we find in the Church of England, with respect to those questions, that unity which is essential to truth? Was it ever found in the Church? Is it not certain that, at the end of the sixteenth century, the rulers of the Church held doctrines as Calvinistic as ever were held by any Cameronian, and not only held them, but persecuted everybody who did not hold them? And is it not equally certain, that the rulers of the Church have, in very recent times, considered Calvinism as a disqualification for high preferment, if not for holy orders? Look at Archbishop Whitgift's Lambeth Articles—Articles in which the doctrine of reprobation is affirmed in terms strong enough for William Huntington, S.S. And then look at the eighty-seven questions which Bishop Marsh, within our own memory, propounded to candidates for ordination. We should be loath to say that either of these celebrated prelates had intruded into a Church whose doctrines he abhorred, and deserved to be stripped of his gown. Yet it is quite certain, that one or other of them must have been very greatly in error. John Wesley again, and Cowper's friend, John Newton, were both presbyters of this Church. Both were men of talents. Both we believe to have been men of rigid integrity—men who would not have subscribed a Confession of Faith which they disbelieved for the richest bishopric in the empire. Yet, on the subject of predestination, Newton was strongly attached to doctrines which Wesley designated as 'blasphemy, which might make the ears of a Christian to tingle.' Indeed, it will not be disputed that the clergy of the Established Church are divided as to these questions, and that her formularies are not found practically to exclude even scrupulously honest men of both sides from her altars. It is notorious that some of her most distinguished rulers think this latitude a good thing, and would be sorry to see it restricted in favour of either opinion. And herein we most cordially agree with them. But what becomes of the unity of the Church, and of that truth to which unity is essential? Mr Gladstone tells us that the *Regium Donum* was given originally to orthodox Presbyterian ministers, but that part of it is now received by their heterodox successors. 'This,' he says, 'serves to illustrate the difficulty in which governments entangle themselves, when they covenant with arbitrary systems of opinion, and not with the Church alone. The opinion passes away, but the gift remains.' But is it not clear, that if a strong Su-

pralapsan had, under Whitgift's primacy, left a large estate at the disposal of the bishops for ecclesiastical purposes, in the hope that the rulers of the Church would abide by the Lambeth Articles, he would really have been giving his substance for the support of doctrines which he detested? The opinion would have passed away, and the gift would have remained.

This is only a single instance. What wide differences of opinion respecting the operation of the sacraments are held by bishops and presbyters of the Church of England—all men who have conscientiously declared their assent to her articles—all men who are, according to Mr Gladstone, ordained hereditary witnesses of the truth—all men whose voices make up, what he tells us, is the voice of true and reasonable authority! Here, again, the Church has not unity; and as unity is the essential condition of truth, the Church has not the truth.

Nay, take the very question which we are discussing with Mr Gladstone. To what extent does the Church of England allow of the right of private judgment? What degree of authority does she claim for herself in virtue of the apostolical succession of her ministers? Mr Gladstone, a very able and a very honest man, takes a view of this matter widely differing from the view taken by others whom he will admit to be as able and as honest as himself. People who altogether dissent from him on this subject eat the bread of the Church, preach in her pulpits, dispense her sacraments, confer her orders, and carry on that apostolical succession, the nature and importance of which, according to him, they do not comprehend. Is this unity? Is this truth?

It will be observed that we are not putting cases of dishonest men, who, for the sake of lucre, falsely pretend to believe in the doctrines of an establishment. We are putting cases of men as upright as ever lived, who, differing on theological questions of the highest importance, and avowing that difference, are yet priests and prelates of the same Church. We therefore say, that, on some points which Mr Gladstone himself thinks of vital importance, the Church has either not spoken at all, or, what is for all practical purposes the same thing, has not spoken in language to be understood even by honest and sagacious divines. The religion of the Church of England is so far from exhibiting that unity of doctrine which Mr Gladstone represents as her distinguishing glory, that it is, in fact, a bundle of religious systems without number. It comprises the religious system of Bishop Tomline, and the religious system of John Newton, and all the religious systems which lie between them. It comprises the religious system of Mr Newman, and the religious system of the Archbishop of Dublin, and all the religious systems which lie between them. All these different opinions are held, avowed,

preached, printed, within the pale of the Church, by men of unquestioned integrity and understanding.

Do we make this diversity a topic of reproach to the Church of England? Far from it. We would oppose with all our power every attempt to narrow her basis. Would to God that, a hundred and fifty years ago, a good king and a good primate had possessed the power as well as the will to widen it. It was a noble enterprise, worthy of William and of Tillotson. But what becomes of all Mr Gladstone's eloquent exhortations to unity? Is it not mere mockery to attach so much importance to unity in form and name, where there is so little in substance—to shudder at the thought of two churches in alliance with one state, and to endure with patience the spectacle of a hundred sects battling within one church? And is it not clear that Mr Gladstone is bound, on all his own principles, to abandon the defence of a church in which unity is not found? Is it not clear that he is bound to divide the House of Commons against every grant of money which may be proposed for the clergy of the Established Church in the colonies? He objects to the vote for Maynooth, because it is monstrous to pay one man to teach truth, and another to denounce that truth as falsehood. But it is a mere chance whether any sum which he votes for the English Church in any dependency will go to the maintenance of an Arminian or a Calvinist, of a man like Mr Froude, or of a man like Dr Arnold. It is a mere chance, therefore, whether it will go to support a teacher of truth, or one who will denounce that truth as falsehood.

This argument seems to us at once to dispose of all that part of Mr Gladstone's book which respects grants of public money to dissenting bodies. All such grants he condemns. But surely if it be wrong to give the money of the public for the support of those who teach any false doctrine, it is wrong to give that money for the support of the ministers of the Established Church. For it is quite certain that, whether Calvin or Arminius be in the right, whether Laud or Burnet be in the right, a great deal of false doctrine is taught by the ministers of the Established Church. If it be said that the points on which the clergy of the Church of England differ ought to be passed over, for the sake of the many important points on which they agree, why may not the same argument be maintained with respect to other sects which hold in common with the Church of England the fundamental doctrines of Christianity? The principle, that a ruler is bound in conscience to propagate religious truth, and to propagate no religious doctrine which is untrue, is abandoned as soon as it is admitted that a gentleman of Mr Gladstone's opinions may lawfully vote the public money to a chap-

lain whose opinions are those of Paley, or of Simeon. The whole question then becomes one of degree. Of course no individual and no government can justifiably propagate error for the sake of propagating error. But both individuals and governments must work with such machinery as they have; and no human machinery is to be found which will impart truth without some alloy of error. We have shown irrefragably, as we think, that the Church of England does not afford such a machinery. The question then is, with what degree of imperfection in our machinery must we put up? And to this question we do not see how any general answer can be given. We must be guided by circumstances. It would, for example, be very criminal in a Protestant to contribute to the sending of Jesuit missionaries amongst a Protestant population. But we do not conceive that a Protestant would be to blame for giving assistance to Jesuit missionaries who might be engaged in converting the Siamese to Christianity. That tares are mixed with the wheat is matter of regret; but it is better that wheat and tares should grow together than that the promise of the year should be blighted.

Mr Gladstone, we see with deep regret, censures the British Government in India for distributing a small sum among the Catholic priests who minister to the spiritual wants of our Irish soldiers. Now, let us put a case to him. A Protestant gentleman is attended by a Catholic servant, in a part of the country where there is no Catholic congregation within many miles. The servant is taken ill, and is given over. He desires, in great trouble of mind, to receive the last sacraments of his Church. His master sends off a messenger in a chaise and four, with orders to bring a confessor from a town at a considerable distance. Here a Protestant lays out money for the purpose of causing religious instruction and consolation to be given by a Catholic priest. Has he committed a sin? Has he not acted like a good master and a good Christian? Would Mr Gladstone accuse him of 'laxity of religious principle,' of 'confounding truth with falsehood,' of 'considering the support of religion as a boon to an individual, 'not as a homage to truth?' But how if this servant had, for the sake of his master, undertaken a journey which removed him from the place where he might easily have obtained religious attendance? How if his death were occasioned by a wound received in defending his master? Should we not then say that the master had only fulfilled a sacred obligation of duty? Now, Mr Gladstone himself owns that 'nobody can think that the 'personality of the state is more stringent, or entails stronger 'obligations, than that of the individual.' How then stands the case of the Indian Government? Here is a poor fellow, enlisted

in Clare or Kerry, sent over fifteen thousand miles of sea, quartered in a depressing and pestilential climate. He fights for the Government; he conquers for it; he is wounded; he is laid on his pallet, withering away with fever, under that terrible sun, without a friend near him. He pines for the consolations of that religion which, neglected perhaps in the season of health and vigour, now comes back to his mind, associated with all the overpowering recollections of his earlier days, and of the home which he is never to see again. And because the state for which he dies sends a priest of his own faith to stand at his bedside, and to tell him, in language which at once commands his love and confidence, of the common Father, of the common Redeemer, of the common hope of immortality,—because the state for which he dies does not abandon him in his last moments to the care of heathen attendants, or employ a chaplain of a different creed to vex his departing spirit with a controversy about the Council of Trent,—Mr Gladstone finds that India presents ‘a melancholy picture,’ and that there is ‘a large allowance of false principle’ in the system pursued there. Most earnestly do we hope that our remarks may induce Mr Gladstone to reconsider this part of his work, and may prevent him from expressing in that high assembly, in which he must always be heard with attention, opinions so unworthy of his character.

We have now said almost all that we think it necessary to say respecting Mr Gladstone’s theory. And perhaps it would be safest for us to stop here. It is much easier to pull down than to build up. Yet, that we may give Mr Gladstone his revenge, we will state concisely our own views respecting the alliance of Church and State.

We set out in company with Warburton, and remain with him prettysociably till we come to his contract;—a contract which Mr Gladstone very properly designates as a fiction. We consider the primary end of government as a purely temporal end—the protection of the persons and property of men.

We think that government, like every other contrivance of human wisdom, from the highest to the lowest, is likely to answer its main end best when it is constructed with a single view to that end. Mr Gladstone, who loves Plato, will not quarrel with us for illustrating our proposition, after Plato’s fashion, from the most familiar objects. Take cutlery, for example. A blade which is designed both to shave and to carve will certainly not shave so well as a razor, or carve so well as a carving-knife. An academy of painting, which should also be a bank, would, in all probability exhibit very bad pictures and discount very bad bills. A gas company, which should also be an infant school society,



would, we apprehend, light the streets ill, and teach the children ill. On this principle, we think that government should be organized solely with a view to its main end; and that no part of its efficiency for that end should be sacrificed in order to promote any other end however excellent.

But does it follow from hence that governments ought never to promote any end other than their main end? In no wise. Though it is desirable that every institution should have a main end, and should be so formed as to be in the highest degree efficient for that main end; yet if, without any sacrifice of its efficiency for that end, it can promote any other good end, it ought to do so. Thus, the end for which a hospital is built is the relief of the sick, not the beautifying of the street. To sacrifice the health of the sick to splendour of architectural effect—to place the building in a bad air only that it may present a more commanding front to a great public place—to make the wards hotter or cooler than they ought to be, in order that the columns and windows of the exterior may please the passers-by, would be monstrous. But if, without any sacrifice of the chief object, the hospital can be made an ornament to the metropolis, it would be absurd not to make it so.

In the same manner, if a government can, without any sacrifice of its main end, promote any other good end, it ought to do so. The encouragement of the fine arts, for example, is by no means the main end of government; and it would be absurd, in constituting a government, to bestow a thought on the question, whether it would be a government likely to train Raphaels and Domenichinos. But it by no means follows that it is improper for a government to form a national gallery of pictures. The same may be said of patronage bestowed on learned men—of the publication of archives—of the collecting of libraries, menageries, plants, fossils, antiques—of journeys and voyages for purposes of geographical discovery or astronomical observation. It is not for these ends that government is constituted. But it may well happen that a government may have at its command resources which will enable it, without any injury to its main end, to serve these collateral ends far more effectually than any individual or any voluntary association could do. If so, government ought to serve these collateral ends.

It is still more evidently the duty of government to promote—always in subordination to its main end—every thing which is useful as a means for the attaining of that main end. The improvement of steam navigation, for example, is by no means a primary object of government. But as steam vessels are useful for the purpose of national defence, and for the purpose of

facilitating intercourse between distant provinces, and thereby consolidating the force of the empire, it may be the bounden duty of government to encourage ingenious men to perfect an invention which so directly tends to make the state more efficient for its great primary end.

Now, on both these grounds, the instruction of the people may with propriety engage the care of the government. That the people should be well educated is in itself a good thing; and the state ought therefore to promote this object, if it can do so without any sacrifice of its primary object. The education of the people, conducted on those principles of morality, which are common to all the forms of Christianity, is highly valuable as a means of promoting the main end for which government exists; and is on this ground an object well deserving the attention of rulers. We will not at present go into the general question of Education; but will confine our remarks to the subject which is more immediately before us, namely, the religious instruction of the people.

We may illustrate our view of the policy which governments ought to pursue with respect to religious instruction, by recurring to the analogy of a hospital. Religious instruction is not the main end for which a hospital is built; and to introduce into a hospital any regulations prejudicial to the health of the patients, on the plea of promoting their spiritual improvement—to send a ranting preacher to a man who has just been ordered by the physician to lie quiet and try to get a little sleep—to impose a strict observance of Lent on a convalescent who has been advised to eat heartily of nourishing food—to direct, as the bigoted Pius the Fifth actually did, that no medical assistance should be given to any person who declined spiritual attendance—would be the most extravagant folly. Yet it by no means follows that it would not be right to have a chaplain to attend the sick, and to pay such a chaplain out of the hospital funds. Whether it will be proper to have such a chaplain at all, and of what religious persuasion such a chaplain ought to be, must depend on circumstances. There may be a town in which it would be impossible to set up a good hospital without the help of people of different opinions. And religious parties may run so high that, though people of different opinions are willing to contribute for the relief of the sick, they will not concur in the choice of any one chaplain. The high Churchmen insist that, if there is a paid chaplain, he shall be a high Churchman. The Evangelicals stickle for an Evangelical. Here it would evidently be absurd and cruel to let a useful and humane design, about which all are agreed, fall to the ground, because all cannot agree about something

else. The governors must either appoint two chaplains, and pay them both ; or they must appoint none ; and every one of them must, in his individual capacity, do what he can for the purpose of providing the sick with such religious instruction and consolation as will, in his opinion, be most useful to them.

We should say the same of government. Government is not an institution for the propagation of religion, any more than St George's Hospital is an institution for the propagation of religion. And the most absurd and pernicious consequences would follow, if Government should pursue, as its primary end, that which can never be more than its secondary end ; though intrinsically more important than its primary end. But a government which considers the religious instruction of the people as a secondary end, and follows out that principle faithfully, will, we think, be likely to do much good, and little harm.

We will rapidly run over some of the consequences to which this principle leads, and point out how it solves some problems which, on Mr Gladstone's hypothesis, admit of no satisfactory solution.

All persecution directed against the persons or property of men is, on our principle, obviously indefensible. For the protection of the persons and property of men, being the primary end of government, and religious instruction only a secondary end, to secure the people from heresy by making their lives, their limbs, or their estates insecure, would be to sacrifice the primary end to the secondary end. It would be as absurd as it would be in the governors of a hospital to direct that the wounds of all Arian and Socinian patients should be dressed in such a way as to make them fester.

Again, on our principles, all civil disabilities on account of religious opinions are indefensible. For all such disabilities make government less efficient for its main end : they limit its choice of able men for the administration and defence of the state ; they alienate from it the hearts of the sufferers ; they deprive it of a part of its effective strength in all contests with foreign nations. Such a course is as absurd as it would be in the governors of a hospital to reject an able surgeon because he is an Universal Restitutionist, and to send a bungler to operate because he is perfectly orthodox.

Again, on our principles, no government ought to press on the people religious instruction, however sound, in such a manner as to excite among them discontents dangerous to public order. For here again government would sacrifice its primary end, to an end intrinsically indeed of the highest importance, but still only a secondary end of government, as government. This rule at

once disposes of the difficulty about India—a difficulty of which Mr Gladstone can get rid only by putting in an imaginary discharge in order to set aside an imaginary obligation. There is assuredly no country where it is more desirable that Christianity should be propagated. But there is no country in which the government is so completely disqualified for the task. By using our power in order to make proselytes, we should produce the dissolution of society, and bring utter ruin on all those interests, for the protection of which government exists. Here the secondary end is, at present, inconsistent with the primary end, and must therefore be abandoned. Christian instruction given by individuals and voluntary societies may do much good. Given by the Government it would do unmixed harm. At the same time, we quite agree with Mr Gladstone in thinking that the English authorities in India ought not to participate in any idolatrous rite; and indeed we are fully satisfied that all such participation is not only unchristian, but also unwise and most undignified.

Supposing the circumstances of a country to be such, that the government may with propriety, on our principles, give religious instruction to a people: The next question is, what religion shall be taught. Bishop Warburton answers, the religion of the majority. And we so far agree with him, that we can scarcely conceive any circumstances in which it would be proper to establish, as the one exclusive religion of the state, the religion of the minority. Such a preference could hardly be given without exciting most serious discontent, and endangering those interests, the protection of which is the first object of government. But we never can admit that a ruler can be justified in assisting to spread a system of opinions solely because that system is pleasing to the majority. On the other hand, we cannot agree with Mr Gladstone, who would of course answer that the only religion which a ruler ought to propagate is the religion of his own conscience. In truth, this is an impossibility. And, as we have shown, Mr Gladstone himself, whenever he supports a grant of money to the Church of England, is really assisting to propagate, not the precise religion of his own conscience, but some one or more, he knows not how many or which, of the innumerable religions which lie between the confines of Pelagianism and those of Antinomianism, and between the confines of Popery and those of Presbyterianism. In our opinion, that religious instruction which the ruler ought, in his public capacity, to patronize, is the instruction from which he, in his conscience, believes that the people will learn most good with the smallest mixture of evil. And thus it is not necessarily his own religion that he will select. He will, of course, believe that

his own religion is unmingled good. But the question which he has to consider is, not how much good his religion contains, but how much good the people will learn, if instruction is given them in that religion. He may prefer the doctrines and government of the Church of England to those of the Church of Scotland. But if he knows that a Scotch congregation will listen with deep attention and respect while an Erskine or a Chalmers sets before them the fundamental doctrines of Christianity; and that a glimpse of a cassock or a single line of a liturgy would be the signal for hooting and riot, and would probably bring stools and brick-bats about the ears of the minister; he acts wisely if he conveys religious knowledge to the Scotch rather by means of that imperfect Church, as he may think it, from which they will learn much, than by means of that perfect Church, from which they will learn nothing. The only end of teaching is, that men may learn; and it is idle to talk of the duty of teaching truth in ways which only cause men to cling more firmly to falsehood.

On these principles we conceive that a statesman, who might be far, indeed, from regarding the Church of England with the reverence which Mr Gladstone feels for her, might yet firmly oppose all attempts to destroy her. Such a statesman may be far too well acquainted with her origin to look upon her with superstitious awe. He may know that she sprang from a compromise huddled up between the eager zeal of reformers and the selfishness of greedy, ambitious, and time-serving politicians. He may find in every page of her annals ample cause for censure. He may feel that he could not, with ease to his conscience, subscribe all her articles. He may regret that all the attempts which have been made to open her gates to large classes of non-conformists should have failed. Her episcopal polity he may consider as of purely human institution. He cannot defend her on the ground that she possesses the apostolical succession; for he does not know whether that succession may not be altogether a fable. He cannot defend her on the ground of her unity; for he knows that her frontier sects are much more remote from each other, than one frontier is from the Church of Rome, or the other from the Church of Geneva. But he may think that she teaches more truth with less alloy of error than would be taught by those who, if she were swept away, would occupy the vacant space. He may think that the effect produced by her beautiful services and by her pulpits on the national mind, is, on the whole, highly beneficial. He may think that her civilizing influence is usefully felt in remote districts. He may think that, if she were destroyed, a large portion of those who now compose her congregations would neglect all religious duties; and that a still larger

part would fall under the influence of spiritual mountebanks, hungry for gain, or drunk with fanaticism. While he would with pleasure admit that all the qualities of Christian pastors are to be found in large measure within the existing body of Dissenting ministers, he would perhaps be inclined to think that the standard of intellectual and moral character among that exemplary class of men may have been raised to its present high point and maintained there by the indirect influence of the Establishment. And he may be by no means satisfied that, if the Church were at once swept away, the place of our Sumners and Whateleys would be supplied by Doddridges and Halls. He may think that the advantages which we have described are obtained, or might, if the existing system were slightly modified, be obtained, without any sacrifice of the paramount objects which all governments ought to have chiefly in view. Nay, he may be of opinion that an institution, so deeply fixed in the hearts and minds of millions, could not be subverted without loosening and shaking all the foundations of civil society. With at least equal ease he would find reasons for supporting the Church of Scotland. Nor would he be under the necessity of resorting to any contract to justify the connexion of two religious establishments with one government. He would think scruples on that head frivolous in any person who is zealous for a Church, of which both Dr Herbert Marsh and Dr Daniel Wilson are bishops. Indeed he would gladly follow out his principles much further. He would have been willing to vote in 1825 for Lord Francis Egeron's resolution, that it is expedient to give a public maintenance to the Catholic clergy of Ireland; and he would deeply regret that no such measure was adopted in 1829.

In this way, we conceive, a statesman might, on our principles, satisfy himself that it would be in the highest degree inexpedient to abolish the Church, either of England or of Scotland.

But if there were, in any part of the world, a national church regarded as heretical by four-fifths of the nation committed to its care—a church established and maintained by the sword—a church producing twice as many riots as conversions—a church which, though possessing great wealth and power, and though long backed by persecuting laws, had, in the course of many generations, been found unable to propagate its doctrines, and barely able to maintain its ground—a church so odious, that fraud and violence, when used against its clear rights of property, were generally regarded as fair play—a church, whose ministers were preaching to desolate walls, and with difficulty obtaining their lawful subsistence by the help of bayonets—such a church, on our principles, could not, we must own, be defended. We

should say that the state which allied itself with such a church, postponed the primary end of government to the secondary ; and that the consequences had been such as any sagacious observer would have predicted. Neither the primary nor the secondary end is attained. The temporal and spiritual interests of the people suffer alike. The minds of men, instead of being drawn to the church, are alienated from the state. The magistrate, after sacrificing order, peace, union, all the interests which it is his first duty to protect, for the purpose of promoting pure religion, is forced, after the experience of centuries, to admit that he has really been promoting error. The sounder the doctrines of such a church—the more absurd and noxious the superstition by which those doctrines are opposed—the stronger are the arguments against the policy which has deprived a good cause of its natural advantages. Those who preach to rulers the duty of employing power to propagate truth would do well to remember that falsehood, though no match for truth alone, has often been found more than a match for truth and power together.

A statesman, judging on our principles, would pronounce without hesitation that a church, such as we have last described, never ought to have been set up. Further than this we will not venture to speak for him. He would doubtless remember that the world is full of institutions which, though they never ought to have been set up, yet, having been set up, ought not to be rudely pulled down ; and that it is often wise in practice to be content with the mitigation of an abuse which, looking at it in the abstract, we might feel impatient to destroy.

We have done ; and nothing remains but that we part from Mr Gladstone with the courtesy of antagonists who bear no malice. We dissent from his opinions, but we admire his talents ; we respect his integrity and benevolence ; and we hope that he will not suffer political avocations so entirely to engross him, as to leave him no leisure for literature and philosophy.

*NOTE respecting Lord President Blair.*

After the first article was printed, we happened to learn that a brief character of Lord President Blair, written by the late Professor Playfair, who for many years had lived much in his society, appeared in the Newspapers immediately after his Lordship's death ; and having succeeded in procuring a copy of it, we here reprint it entire, as an appendix to the sketch contained in the article ; thinking that as the production of so very eminent a writer, and one devoted to such different pursuits, it could not but be viewed as both interesting and curious in no ordinary degree.

‘ It is with the deepest regret that we perform the painful task of announcing to our readers the irreparable loss which the country has suffered by the death of the Right Hon. Robert Blair of Avontoun, Lord President of the Court of Session. His Lordship entered upon the duties of the present Session, with every symptom of health and vigour, and at no time, for a number of years, did his appearance indicate a longer continuance of his valuable life. He complained of some slight disorder on Sunday, which appears to have gone off in the course of that day. But on Monday, while returning from his ordinary walk, his appearance was observed to be less regular and steady than usual. He was able, however, to reach his own door, which had just been opened to receive him, when he fell into the arms of his servant, and expired in a few minutes.\*

‘ In consequence of this public calamity, a meeting of the Faculty of Advocates was held early on Tuesday morning, when, upon the motion of the Hon. Henry Erskine, seconded by John Clerk, Esq., it was unanimously resolved, that the Dean of Faculty should move the court to adjourn till Thursday. The court having soon after met, and the chair of the first division having been taken by Lord Craig, as the senior judge, who expressed in strong terms, his sense of this national loss, both divisions of the court adjourned till Thursday. The meeting of the Faculty of Advocates was afterwards resumed, when it was unanimously resolved to attend the funeral as a body.

‘ To those who had the happiness of intimately knowing the late Lord President Blair, and of seeing him in the intercourse of private life, enjoying and promoting all the innocent relaxa-

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\* Lord President Blair died on Monday, the 20th of May, 1811.



tions from severer duties, it may seem unnecessary to dwell upon other causes of regret. But the calamity which will be long and deeply felt by the country, is the loss of that rare union of great qualities which, after calling him forth into early notice, conducted him to the highest honours of his profession, and exacted the palm of distinction from the common suffrages of his brethren, during the whole course of a long and unblemished life. Of the first years of that life, or of the course of severe study by which he prepared himself to be what he became, little is known beyond the circle of his private friends; but never surely was there exhibited upon the great theatre of public business a more profound erudition, greater power of discrimination, nor a more stern and invincible rectitude, combined with a degree of personal dignity that commanded more than respect, even from his equals. If any one, indeed, were to be selected from many great features as peculiarly distinguishing his character, we should certainly be apt to fix upon that innate love of justice, and abhorrence of iniquity, without which, as he himself emphatically declared, when he took the chair of the court, all other qualities avail nothing, or rather they are worse than nothing; a sentiment that seemed to govern the whole course of his public duty. In the multiplicity of transactions, to which the extended commerce of the country gives rise, cases must occur to illustrate the darker side of the human character. Such questions seemed to call forth all his energy, and they who heard the great principles of integrity vindicated and enforced, in a strain of indignant eloquence, could scarce resist the impression, that they beheld, for a moment, the earthly delegate of Eternal Justice.

‘ During the short period for which his Lordship filled the chair of the court, it seemed to be his object to settle the law of Scotland upon great and permanent foundations. Far from seeking to escape from the decision of points of law under an affected delicacy, which he well knew might be a cloak for ignorance, he anxiously dwelt upon such questions; and pointed them out for discussion, that, by means of a deliberate judgment, he might fix a certain rule for the guidance of future times. With all his knowledge of law, his opinions upon these subjects were formed with singular caution, and what was at first thrown out merely as a doubt, was found, upon examination, to be the result of profound research, matured by the deepest reflection. But to enter into the merits of such a character, to describe the high sense of decorum, and the opposition to all affectation and insincerity, which carried him through the straight line of professional duty, not seeking the applause of men, but consulting only the spotless rectitude of his own mind, would carry us far beyond our present

limits, even if it were possible. His true value is best estimated by the general gloom which his death has cast over the profession and the country.

His Lordship was within a few months of 70 years of age. He was the son of the Rev. Mr Blair, minister of Athelstonford, author of the celebrated poem of "The Grave." He entered Advocate in 1764, and on the appointment of President Campbell to the Bench, he succeeded the present Lord Chief-Baron\* as Solicitor-General, in which office he continued till the year 1806. On the promotion of Mr Robert Dundas to be Lord Chief-Baron in 1801, he was unanimously chosen by the Faculty of Advocates to be their Dean, in which honourable station he continued till 1808, when he received the appointment of Lord President of the Court of Session. on the resignation of Sir Islay Campbell, Bart. He married Miss Isabella Halket, one of the sisters of Lieutenant-Colonel John Halket, by whom he has one son and three daughters.'

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\* The late Right Honourable Robert Dundas.

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*Errata et corrigenda on Article 'CHURCH AND STATE.'*

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P. 234, 7th line, *for* 'It abounds with eloquent,' &c., *read* 'It contains some eloquent,' &c.

———— 10th line, *for* 'nor does it, so far as we have observed, contain one,' &c., *read* 'nor is it, so far as we have observed, disfigured by one,' &c.

P. 236, 23d line, *for* 'intellects,' *read* 'intellect.'

P. 238, 5th line, *for* 'employing the influence and the funds at his disposal,' *read* 'employing his power.'

P. 239, 7th line from bottom, *for* 'vast sweep,' *read* 'immense extent.'

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